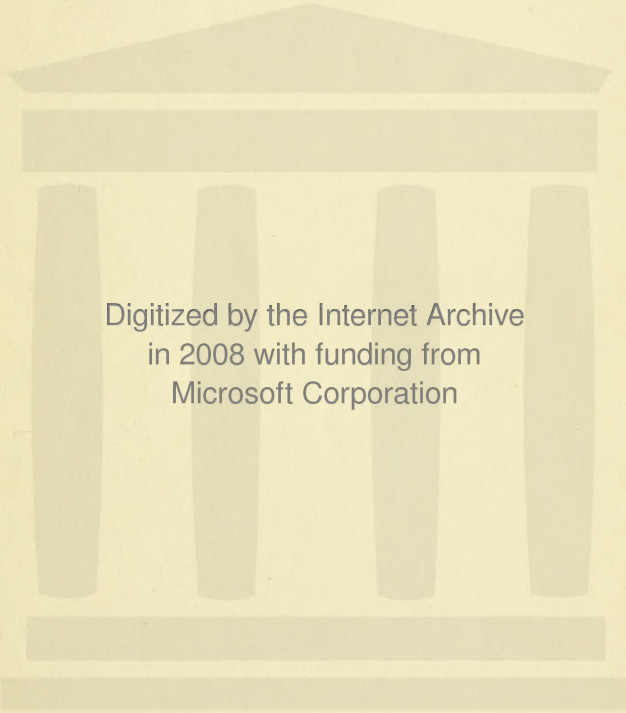


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SKETCHES

OF THE

LIFE, WRITINGS, AND OPINIONS

OF

THOMAS JEFFERSON;

WITH

SELECTIONS OF THE MOST VALUABLE PORTIONS OF HIS VOLUMINOUS AND UNRIVALED
PRIVATE CORRESPONDENCE.

BY B. L. RAYNER.

"For I have sworn upon the Altar of God, eternal hostility against every
form of tyranny over the mind of man."—*Priv. Corres.*

NEW-YORK:

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ERRATA.—Page 34, fifth line from the top, for '1769' read 1765.

372, ninth line from bottom, for 'thirty-six' read sixteen.

397, third line from top, for 'Jay' read Marshal.

NOTE.—Owing to the extension of the volume about 50 pages beyond what was contemplated, the Appendix is necessarily omitted.



PREFACE.

The materials for this volume are principally derived from the posthumous works of Mr. Jefferson himself, lately published by his grandson, Thomas Jefferson Randolph. These works were received with extraordinary approbation by one great portion of the public, as was the case, indeed, with every thing that ever came from that remarkable man ; and by another considerable portion, with a corresponding degree of dissatisfaction, always to be expected from the well known opinions of the Author on certain fundamental points of principle, and the strongly marked division of public sentiment on those points.

These works extend through four large octavo volumes, of about 500 pages each ; nearly the whole of which is occupied with the Correspondence of the Author, public and private. In the first volume is an auto-memoir of about ninety pages, exhibiting a brief outline of the first forty-seven years only of the Author's life, and terminating, unfortunately, at the precise epoch when his history began to assume the highest importance. It appears in the rough form of 'memoranda and recollections of dates and facts,' taken simply as he states, 'for his own more ready reference, and for the information of his family.' Besides containing many interesting notices of his personal and family history, the Memoir is enriched by many important particulars relating to the origin and early stages of the Revolution, and the establishment of the Republic—by the Debates in Congress on the great question of Independence, with the historical circumstances attending the preparation and adoption of that memorable instrument ; and by a narrative, interspersed with sage political reflections, of the causes and early course of the French Revolution, as exhibited to the observation of the Author, during his diplomatic residence at Paris. This portion of the work derives peculiar value from the circumstance of its containing the first disclosure to the world, in an authentic form, of the Debates on the memorable occasion of Independence, and from the probability, or rather certainty, that a like knowledge of them is not to be expected from any other source. Appended to the Memoir, or within the body of it, are a variety of ancient productions of Mr. Jefferson, which will be new to most readers. Among them are, a paper drawn up in 1774, as instructions to the Delegates in Congress from Virginia, being the first formal enunciation of the political doctrines

of the Revolution—A Penal Code, being part of a Revised Code of Laws executed by himself and others, in 1776, with reference to the humane principles of a Republican form of government—An historical account of the overthrow of the Church establishment in Virginia, always considered by the Author as one of his best efforts in the cause of Liberty—And an elaborate paper, drafted in 1784, on the establishment of a uniform system of Coinage and Currency, which laid the foundation of the present system in the United States. At the end of the fourth volume are about eighty pages of what are quaintly denominated ANAS ; being Notes of Conversations held with President Washington, Mr. Adams, General Hamilton, and others, while he was Secretary of State, or Vice President ; and memoranda of Cabinet Councils, committed to paper on the spot, and filed ; the whole combining to show the views and tendencies of parties, from the year 1790 to 1800, and preserved for the purpose of furnishing “ their testimony against the only history of that period which pretends to have been compiled from authentic and unpublished documents.”

The remainder of the four volumes consists entirely of the Correspondence of the Author, chiefly private and confidential, from the year 1775 to his death. During the greater period of his life, Mr. Jefferson wrote with a polygraph or copying press, which enabled him to preserve with ease a regular file of his letters from year to year. These letters are addressed to a great variety of individuals in this, and in foreign countries. They comprise an immense range of information, and in many instances, regular Essays on subjects of History, Politics, Science, Morals, and Religion.

Taken all in all, this posthumous work is the richest auto-biographical deposite, and one of the most important publications ever presented to the world. Viewed in the light of Political History, Philosophy and Literature, it abounds with relations of momentous import, with reflections of consummate wisdom and profound observation, conveyed in a style of unrivaled felicity and power ; and it supplies the record of many important transactions connected with our government, of which no authentic memorials had been preserved. But it is in the light of a private revelation, pushing its fearless disclosures into the inmost recesses of the mind and character of the man, that its most distinguishing excellence consists. We have here the ungarbled contents of the Cabinet of the Author, gradually accumulating through an era among the most momentous in the annals of the world, and of which himself was a principal actor, incessantly placed in the most trying situations which it afforded. This vast collection of letters, compiled from the unrevised manuscripts of the Writer, thrown off on the spur of the occasion, in the freedom of unrestrained confidence, and spreading over a period of fifty years, have opened the folding-doors to the character of Mr. Jefferson, and introduced us into the sanctuary of his most secret meditations. They derive essential importance from the fact

that at the time they were written, the Author had no conception of their ever being made public. On this point we have the authority of the Editor, who states in his Preface, that "the historical parts of the Letters, and the entire publication, have the rare value of coming from one of the chief actors himself, and of being written not for the public eye, but in the freedom and confidence of private friendship."

It would undoubtedly be a happy circumstance for this country, and for the mass of mankind, besides serving, if possible, to enhance the reputation of the revered Author, if these works could obtain a circulation which should place them in the hands of every individual; for if any thing could give stability to those principles, which form alike the basis of his renown, and the elements of the splendid structure of free government which he was chiefly instrumental in establishing, it would be such an extensive dissemination of his Writings. Unfortunately, however, the form in which they have appeared, is not the most advantageous to the accomplishment of this desirable purpose. The publication is too voluminous, and consequently too expensive, to admit of a general introduction among all classes; nor is the mode of arrangement the best adapted to its reception into ordinary use as a work of reference.

These considerations have suggested the plan of the present undertaking, which aspires to no higher claims than that of an analytic, and, it is hoped, a well assorted generalization of the original publication. It has been the leading object of the compilation, to condense the most valuable substance of the four, within the compass of one volume, and to supply what are presumed to be essential wants of the former, by interweaving a connected narrative of the Author's Life, by systematizing the contents as much as possible, and furnishing the whole with a definite and copious Index. All the great political papers of Mr. Jefferson, contained in the original works, have been copied into this, or their substance faithfully stated; and many others, not therein contained, have been procured from other sources, and likewise introduced. Among the latter, are the Answer of Congress to the 'Conciliatory Proposition' of Lord North; the celebrated bill for the establishment of Religious Freedom; and the first Inaugural Address of the Author, on his elevation to the Presidency—inserted at length; an analysis of his Reports, while Secretary of State, on Coins, Weights and Measures, on the Fisheries, and on Commerce and Navigation: the Preambles to the bills for Abolishing the law of Entails, for the General Diffusion of Knowledge, and other organic acts of the Virginia Legislature, at the establishment of the republican form of government; and extracts of the most interesting portions of his 'Notes on Virginia.'

The Selections from the Private Correspondence of Mr. Jefferson, are extensive, and dispersed through the volume, with reference to the topic under consideration, more than to the order of time. They

will probably be found the most interesting portions of the volume. In making the quotations from this department, it has been the object to bring the greatest quantity of useful matter within the smallest space. Parts of letters, therefore, are usually introduced,—rarely the whole of any one,—sufficient to give the full sense of the Writer on any required point, and avoiding all extraneous observations. The historical and biographical portions of the work have also been derived, in great part, from this pregnant source. In some cases the very language of the Author has been adopted, without invariably noting it with the usual mark of credit. In all such cases, however, the style or the sentiment will be sufficiently distinguishable to place it where it belongs. Some parts of the narrative may appear overwrought with eulogy, to some minds—not so much because the subject does not deserve it, as because it was infinitely above the attempt. It is a difficult matter to commemorate the deeds of so distinguished a benefactor of the human race, without yielding in some degree to the influence of a passion which they are so justly calculated to inspire; and the writer does not scruple to admit, that he has less endeavored to restrain his own grateful feelings, than to infuse the same into the minds of his readers.

The character of THOMAS JEFFERSON should be held up to all succeeding generations of American people, as the model on which they should habitually fix their eyes, and fashion their own characters and principles. His unparalleled achievements and sacrifices for their benefit, with the pre-eminent success, and the blissful close of his life, should be continually spread before them, as incitements to run the same virtuous and glorious career of action. His Writings should enlighten the fireside of every citizen of this Republic, and form the text-book of the American statesman. His pure fame should be religiously cherished by his countrymen, as a most precious inheritance to them, and as meriting from man universally an everlasting remembrance. If the present volume shall have been instrumental in promoting these objects, it will have fulfilled its destiny.

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LIFE,
WRITINGS, AND OPINIONS
OF
THOMAS JEFFERSON.

CHAPTER I.

THOMAS JEFFERSON was born April 2d, 1743, on the farm called Shadwell, adjoining Monticello, in the county of Albemarle, Virginia. The date of his nativity was unknown until his decease. It had been a subject of speculation and eager scrutiny among the votaries of liberty, for a long series of years, with a view to its special commemoration. Repeated attempts had been made to ascertain it, by formal applications to him personally, on various occasions, by individuals, and public bodies; but from scruples of a patriotic nature, he always declined revealing it, and enjoined the same privacy upon his family. The principles which determined him on this subject, were, the great indelicacy and impropriety in permitting himself to be made the recipient of an homage, so incompatible with the stanch dignity and independence of the republican character; the still greater repugnance which he should feel, to seeing the birth-day honors of the Republic transferred, in any degree, to any individual; and the paramount importance over all, of suppressing, at the first blush, every tendency to familiarize the moral sense of freemen to the artificial forms and ceremonies of royalty. He thought he discovered in the birth-day celebrations of particular persons, a germ of aristocratical distinction, which it was incumbent upon all such persons, by a timely concert of example, to crush in the bud. Soon after his inauguration in 1801, he was waited on by the Mayor and Corporation of the city of Washington, with the request that he would communicate the anniversary of his birth, as they were desirous of commemorating an event

which had conferred such distinguished excellence upon their country. He replied, in a style of Roman heroism, "The only birthday which I recognize, is that of my country's liberties." In August, 1803, he received a similar communication from Levi Lincoln, in behalf of a certain association in Boston, to which he replied: "Disapproving myself of transferring the honors and veneration for the great birth-day of our Republic, to any individual, or of dividing them with individuals, I have declined letting my own birthday be known, and have engaged my family not to communicate it. This has been the uniform answer to every application of the kind."

On the paternal side, Mr. Jefferson could number no titles to high or ancient lineage. His ancestors, however, as far back as they can be traced, were of solid respectability, and among the first settlers of Virginia. They emigrated to this country from Wales, and from near the mountain of Snowden, the highest in Great-Britain. His grand-father was the first of whom we have any particular information. He lived in Chesterfield county, at the place called Osborne's, and owned the lands, afterwards the glebe of the parish. He had three sons; Thomas, who died young; Field, who resided on the waters of the Roanoke, and left numerous descendants; and Peter, the father of the subject of these Memoirs, who settled in Albemarle county, on the lands called Shadwell. He was the third or fourth settler in that region of the country. They were all gentlemen of property and influence in the Colony.

But the chief glory of Mr. Jefferson's genealogy was the sturdy contempt of hereditary honors and distinctions, with which the whole race was imbued. At a period when birth was the principal circumstance which decided rank, such a raciness and unsophisticated tone of character, in an influential family, whose wealth alone was sufficient to identify them with the aristocracy, could not but be regarded as a novel and decisive peculiarity. It was a strong genealogical feature, pervading all the branches of the primitive stock, and forming a remarkable head and concentration in the individual who was destined to confer immortality upon the name. With him, indeed, if there was any one sentiment which predominated in early life, and which lost none of its rightful ascendancy through a long career of enlightened and philanthropic effort, it was that of the natural equality of all men, in their rights and wants; and of the nothingness of those pretensions which 'are gained without merit and

forfeited without crime.' The boldness with which, on his first entrance into manhood, he attacked and overthrew the deep rooted institutions of Primogeniture and Entails, the parent sources of those artificial inequalities in society which have caused so much misery and oppression in the world, is an indestructible commentary upon this attribute of his character. An anecdote is related by Mr. Madison, which is no less apposite and striking. During the infant stages of our separate sovereignty, the wheels of the republican machine moving rather tardily and awkward, forms of government were the uppermost topics every where, more especially at the convivial board. On one of these occasions, at which Mr. Jefferson was present, the question being started as to the best mode of providing the executive chief, it was, among other opinions, gravely advanced that a hereditary designation was preferable to any elective process that could be devised. At the close of an eloquent effusion against the agitations and animosities of a popular choice, and in favor of birth, as on the whole affording a better chance for a suitable head of the government, Mr. Jefferson, with a smile, remarked, that he *had heard of a University somewhere in which the Professorship of Mathematics was hereditary!* The reply, received with acclamation, was a *coup de grace* to the anti-republican orator.

His father, Peter Jefferson, was born February 29th, 1707-8; and intermarried in 1739, with Jane Randolph, of the age of 19, daughter of Isham Randolph, one of the seven sons of that name and family, settled at Dungeoness, in Goochland county, who trace their pedigree far back in England and Scotland; "to which" says Mr. Jefferson, "let every one ascribe the faith and merit he chooses." He was a self-educated man; but endowed by nature, with strong intellectual powers, and a constant thirst for information, he rose steadily by his own exertions, and acquired considerable distinction in the Colony. He was commissioned, jointly with Joshua Fry, professor of mathematics in William and Mary College, to designate the boundary line between Virginia and North-Carolina; and was afterwards employed, with the same gentleman, to construct the first regular map of Virginia. He died August 17, 1757, leaving a widow, with six daughters, and two sons, of whom Thomas was the elder. To both the sons he left large estates; to Thomas the Shadwell lands, where he was born, and which inclu-

ded Monticello ; to his brother the estate on James river, called Snowden, after the reputed birth-place of the family. The mother of Mr. Jefferson survived to the fortunate year of 1776, the most memorable epoch, alike in the annals of her country, and the life of her son.

At the age of five, Thomas was placed by his father at the English school, where he continued four years ; at the expiration of which, he was transferred to the Latin, where he remained five years, under the tuition of Mr. Douglass, a clergyman from Scotland. With the rudiments of the Latin and Greek languages, he acquired, at the same time, a knowledge of the French. At this period his father died, leaving him an orphan, only fourteen years of age, and without a relative or friend competent to direct or advise him.

An interesting reminiscence of this critical period of his boyhood, and of the simple moral process by which he subdued, and wrought into instruments of the greatest good, the perilous circumstances of his position, is contained in an affectionate letter, written more than fifty years afterwards, to his grandson, in Philadelphia. It is replete with sound admonition, applicable to every condition of youth, besides affording a choice insight into the juvenile mind and habits of the writer. His tastes were not so ethereal, it appears, as to exclude him altogether from the wild and boisterous joys of the chase, and the turf ; but the basis of his moral composition must have been strongly intellectual, to have reasoned with such precocity of judgment "in the enthusiastic moment of the death of a fox ;" and to have caught the first impulses of a future ambition so chastened and elevated, amidst the engrossing transports of "the victory of a favorite horse."

"Your situation, thrown at such a distance from us and alone, cannot but give us all great anxieties for you. As much has been secured for you, by your particular position and the acquaintance to which you have been recommended, as could be done towards shielding you from the dangers which surround you. But thrown on a wide world, among entire strangers, without a friend or guardian to advise, so young, too, and with so little experience of mankind, your dangers are great, and still your safety must rest on yourself. A determination never to do what is wrong, prudence, and good humour, will go far towards securing to you the estimation of the world. When I recollect that at fourteen years of age, the whole care and direction of myself was thrown on myself entirely, without a relation or friend qualified to advise or guide me, and recollect the

various sorts of bad company with which I associated from time to time, I am astonished I did not turn off with some of them, and become as worthless to society as they were. I had the good fortune to become acquainted very early with some characters of very high standing, and to feel the incessant wish that I could ever become what they were. Under temptations and difficulties, I would ask myself what would Dr. Small, Mr. Wythe, Peyton Randolph, do in this situation? What course in it will ensure me their approbation? I am certain that this mode of deciding on my conduct, tended more to its correctness than any reasoning powers I possessed. Knowing the even and dignified line they pursued, I could never doubt for a moment which of two courses would be in character for them. Whereas, seeking the same object through a process of moral reasoning, and with the jaundiced eye of youth, I should often have erred. From the circumstances of my position, I was often thrown into the society of horse-racers, card-players, fox-hunters, scientific and professional men, and of dignified men; and many a time have I asked myself, in the enthusiastic moment of the death of a fox, the victory of a favorite horse, the issue of a question eloquently argued at the bar, or in the great council of the nation, well, which of these kinds of reputation should I prefer? That of a horse-jockey? a fox-hunter? an orator? or the honest advocate of my country's rights? Be assured, my dear Jefferson, that these idle returns into ourselves, this self-catechising habit, is not trifling; nor useless, but leads to the prudent selection and steady pursuit of what is right."

On the death of his father, Mr. Jefferson was placed under the instruction of the Rev. Mr. Maury, father of the late Consul at Liverpool, with a view to complete the necessary classical preparation for college. The charms of ancient learning seized with a quick and powerful fascination upon his heart; they were remarkably congenial to his contemplative spirit, and touched the finest and the sweetest susceptibilities of his nature. They were here unfolded to him in all their richness and profusion; and how deeply he drank at the inspiring fountain, may be inferred from those exhaustless streams of classic elegance which afterwards flowed from his pen, and those bright flashes of oriental imagery with which his lighter writings abound. With Mr. Maury he continued two years; and then, (1760,) at the age of seventeen, he entered the college of William and Mary, at which he was graduated, two years after, with the highest honors of the institution.

While in college he was more remarked for solidity than sprightliness of intellect. His faculties were so even and well balanced,

that no particular endowment appeared pre-eminent. His course was not marked by any of those eccentricities which often presage the rise of extraordinary genius; but by that constancy of pursuit, that inflexibility of purpose, that bold spirit of inquiry, and thirst for knowledge, which are the surer prognostics of future greatness. His habits were those of patience and severe application, which, aided by a quick and vigorous apprehension, a talent of close and logical combination, and a retentive memory, laid the foundation sufficiently broad and strong for those extensive acquisitions which he subsequently made. Mathematics was his favorite study, and in that science he particularly excelled; he nevertheless distinguished himself in all the branches of education embraced in the established course of his Alma Mater. To his devotion to Philosophy and Science, he united an exquisite taste for the Fine Arts. In those of Architecture, Painting, and Sculpture, he made himself such an adept as to be afterwards accounted one of the best critics of the age. For Music he had an uncommon passion; and his hours of relaxation were passed in exercising his skill upon the Violin, for which he evinced an early and extravagant predilection. His fondness for the Ancient Classics strengthened continually with his strength, inasmuch that it is said he scarcely passed a day, in all after life, without reading a portion of them. The same remark is applicable, in a more emphatic sense, to his passion for the Mathematics. He became so well acquainted with both the great languages of antiquity as to read them with ease; and so far perfected himself in the French as to become familiar with it, which was of essential service to him on entering the diplomatic field, subsequently assigned to him. He could also read and speak the Italian language, and had a competent knowledge of the Spanish. Such too, was his early propensity of prying to the bottom of every thing, that he made himself master of the Anglo-Saxon, as a root of the English, and "an element in legal Philology."

But it was the acquaintances which he had the good fortune to form, while in college, which probably determined the particular cast and direction of his ambition. These were the first characters in the society of Williamsburg, and in the whole Province; among whom he has placed on record, the names of three individuals who were particularly instrumental in fixing his future destinies, distinguishing each according to his appropriate merit in the

work : viz. Dr. Small, one of the professors in college, ‘who made him his daily companion; Gov. Fauquier, ‘the ablest man who had ever filled that office, to whose acquaintance and familiar table,’ he was admitted; and George Wythe, ‘his faithful and beloved Mentor in youth, and his most affectionate friend through life.’ Of the kindness and beneficial services of these gentlemen, we find him, at the age of seventy-seven, retaining the most grateful recollections, and improving his last moments, as it were, in dedicating a farewell tribute of filial veneration to the memory of each.

“It was” says he “my great good fortune, and what probably fixed the destinies of my life, that Dr. Wm. Small, of Scotland, was then professor of mathematics, a man profound in most of the useful branches of science, with a happy talent of communication, correct and gentlemanly manners, and an enlarged and liberal mind. He most happily for me, became soon attached to me, and made me his daily companion when not engaged in the school; and from his conversation I got my first views of the expansion of science, and of the system of things in which we are placed. Fortunately, the philosophical chair became vacant soon after my arrival at college, and he was appointed to fill it *per interim*; and he was the first who ever gave, in that college, regular lectures in Ethics, Rhetoric, and Belles Lettres.”

To Governor Fauquier, with whom he was in habits of intimacy, is also ascribed a high character. With the exception of an extravagant passion for gaming, he was every thing that could have been wished for by Virginia, under the royal government. Generous, liberal, elegant in his manners and accomplishments, his example left an impression of refinement and erudition on the colony, which eminently contributed to advance its reputation in the Arts. “With him” continues Mr. Jefferson, “and at his table, Dr. Small and Mr. Wythe, his *amici omnium horarum*, and myself, formed a *partie quarree*, and to the habitual conversations on these occasions, I owed much instruction.”

George Wythe, whose name will occur frequently in these Sketches, was emphatically a second father to the young and aspiring Jefferson. He was born about the year 1727, of respectable parentage, on the shores of the Chesapeake. His education had been neglected by his parents; and himself had led an idle and voluptuous life until the age of thirty; but by an extraordinary effort of self-recovery, at that point of time, he overcame both the want and the waste of early advantages, insomuch as to be-

come the best Latin and Greek scholar in the State. He was one of the foremost of the Virginia patriots during the stormy season of the Revolution; and successively one of the highest legal, legislative, and judicial characters which that State has furnished. He was early elected to the House of Delegates, then called the House of Burgesses, and continued in it until transferred to Congress, in 1775. He was one of the signers of the Declaration of Independence, of which he had, in debate, been an eminent supporter. The same year, he was appointed by the Legislature of Virginia, one of the celebrated committee to Revise the Laws of the State. In 1777, he was chosen Speaker of the House of Delegates; and the same year was appointed Chancellor of the State, an office which he held until his death, in 1806, a period of thirty years. Mr. Jefferson always spoke with enthusiasm of this friend of many years; and declares it was the act of his life most gratifying to his heart, to contribute what he deemed but a compliment to his "just reputation."

"No man ever left behind him a character more venerated than George Wythe. His virtue was of the purest tint; his integrity inflexible, and his justice exact; of warm patriotism, and, devoted as he was to liberty, and the natural and equal rights of man, he might truly be called the Cato of his country, without the avarice of the Roman; for a more disinterested person never lived. Temperance and regularity in all his habits, gave him general good health, and his unaffected modesty and suavity of manners endeared him to every one. He was of easy elocution, his language chaste, methodical in the arrangement of his matter, learned and logical in the use of it, and of great urbanity in debate; not quick of apprehension, but, with a little time, profound in penetration, and sound in conclusion. In his philosophy he was firm, and neither troubling, nor perhaps trusting, any one with his religious creed, he left the world to the conclusion, that that religion must be good which could produce a life of exemplary virtue. His stature was of the middle size, well formed and proportioned, and the features of his face were manly, comely, and engaging. Such was George Wythe, the honor of his own, and the model of future times."

Immediately on leaving college, Mr. Jefferson engaged in the study of the Law, under the direction of Mr. Wythe. Here, it is said, fired by the example of his master, he performed the whole circuit of the Civil and Common Law; exploring every topic with precision, and fathoming every principle to the bottom. Here, also, he is said to have acquired that unrivaled facility, neatness, and or-

der in business, which gave him, in effect, in every office that he filled, "the hundred hands of Briareus." With such a guide, in a school of such exalted and searching discipline as that of the Law, all the rudiments of intellectual greatness, could not fail of being stirred into action. Aided by the propitious circumstances of the times, they exhibited a rapid and portentous developement in the man who was destined to humble the pride of hoary legitimacy, and prostrate its artificial scaffolding in the dust. The occasion was not long wanting, which was fitted to evoke the master passion of his nature in bold and prominent relief. His faculties were just fledging into manhood; they had begun to assume their distinctive flight, and to indicate a novel and illimitable range. At this decisive moment an incident occurred, which riveted them to their meditated sphere, and kindled the native ardour of his genius into a flame of fire. It was the celebrated speech of Patrick Henry, on the memorable resolutions of 1765, against the Stamp-Act. Young Jefferson was present and listened to the "bold, grand, and overwhelming eloquence" of the orator of nature; the effect of which seems never to have lost its sorcery over his mind. More than fifty years afterwards, he reverts to it with all the vividness of the first impression. "He appeared to me," says he, "to speak as Homer wrote." The resistance to the last resolution was "most bloody;" but the genius of Henry rose with the pressure of the occasion, and descended in "one incessant storm of lightning and thunder," upon his opponents. The effect was indeed tremendous; it struck even that veteran and dignified assembly aghast. The resolutions were moved by Henry, and seconded by Mr. Johnston, a member from the Northern Neck. They were resisted by the whole monarchical body of the House of Burgesses, as a matter of course; and, besides, they were deemed so ill advised in point of time, as to rally in opposition to them all the old members, including such men as Peyton Randolph, Wythe, Pendleton, Nicholas, Bland, &c. honest patriots, whose influence in the House, had till then been unbroken. "But," says Jefferson, "torrents of sublime eloquence from Henry, backed by the solid reasoning of Johnston, prevailed. The last, however, and strongest resolution, was carried but by a single vote. The debate on it was most bloody. I was then but a student, and stood at the door of communication between the house and the lobby during the whole debate and vote; and I well remember, that, after the numbers, on

the division were told and declared from the Chair, Peyton Randolph, the Attorney-General, came out at the door where I was standing, and said, as he entered the lobby, 'by G-d, I would have given 500 guineas for a single vote : for one vote would have divided the House, and Robinson was in the chair, who he knew would have negatived the resolution.'” It was in the midst of this magnificent appeal, so electrifying to his impassioned auditor, that Henry is said to have exclaimed, in a voice of thunder, and with the look of a god, “Cæsar had his Brutus—Charles the First his Cromwell—and George the Third—(‘Treason,’ cried the Speaker—‘treason, treason,’ echoed from every part of the House. It was one of those trying moments which is decisive of character. Henry faltered not an instant ; but rising to a loftier attitude, and fixing on the Speaker an eye of the most determined fire, he finished his sentence with the firmest emphasis,) *may profit by their example*. If this be treason make the most of it.”* “I well remember, says Jefferson, “the cry of treason, the pause of Henry at the name of George the Third, and the presence of mind with which he closed his sentence, and baffled the vociferated charge.”

The grandeur of that scene, and the triumphant eclat of Henry, made the heart of young Jefferson ache for the propitious moment which should enrol him among the champions of persecuted humanity. Then was realized that burning vision of his fancy, which, at the age of fourteen, amidst the crowning hilarities of the chase, had pointed his aspirations to the more solid and rational exultation which awaits “the honest advocate of his country’s rights.” The feeling which such an exhibition would naturally produce in minds of a common mould, would be temporary, partaking more of the nature of animal excitement, and passing off with the occasion which gave it birth. Not so with Jefferson ; the sensations which it excited in him were purely intellectual ; it composed his reflective mind into a deep and settled reverie, which the lapse of half a century had not broken, and in which were elaborated the most momentous theories affecting the freedom and happiness of man. Already his thoughtful spirit sighed over the wronged, the degraded condition of human nature, and panted for the vindication of its long lost rights and liberties. The tone and strength of the master

* Wirt’s Life of Patrick Henry, page 65.

sentiment of his mind, at this early period, are clearly indicated by those emphatic mottoes which he selected for his seals : “*Ab eo libertas, a quo spiritus,*” and “*Resistance to tyrants is obedience to God.*” These mottoes attracted great attention among his contemporaries, and were regarded as prophetic of his destiny. They are well remembered to this day, by the aged inhabitants of Virginia, and associated with the warmest recollections of him, whose presence only is lost from among them. The seals themselves are preserved, as sacred relics, by the family of Mr. Jefferson ; and accurate impressions of them in wax, have been obtained by his particular friends, in various parts of the country, by whom they are cherished with religious regard.

Various attempts have been made to ascertain the birth of opinions on the subject of American Independence ; and to fix the precise epoch, and the particular individual, when and with whom the stupendous conception originated. But the enquiry has been attended with no success, except to multiply candidates for the distinction, and is, from the nature of the case, incapable of solution. It is evident that the measure did not result from any deliberate and preconcerted design on the part of one, or any number of individuals ; but from a combination of progressive, adventitious causes, generated, for the most part, in the hot-bed of the British Parliament, and fostered and matured by its unyielding obstinacy. It was the slow and legitimate growth of political oppression, assisted, it is true, by the great advance of certain minds beyond the general step of the age. To use the happy phraseology of Mr. Jefferson, “it would be as difficult to say at what moment the Revolution began, and what incident set it in motion, as to fix the moment that the embryo becomes an animal, or the act which gives him a beginning.”

Whether James Otis “breathed into this nation the breath of life,” in the capitol of Massachusetts, or Patrick Henry “gave the first impulse to the ball of the Revolution,” in the House of Burgesses of Virginia, as has been alternately claimed, and reclaimed against, in a spirit of laudable and patriotic rivalry, by the two great States which have stood forth as the chief competitors for the honor ; or whether Independence “was born” in the breast of a Hancock, a John or Samuel Adams, or a Christopher Gadsden, are questions, which, though they furnish matter for curious and interesting speculation, will probably never be decided to the satisfaction of all the

parties. But it is certain that if the subject were examined with reference to its bearing upon a Jefferson, and a similar indulgence were allowed in hyperbolism, it might with equal propriety be advanced, that in those pointed and eloquent inscriptions, which he selected in the fire of youth, as the mottoes of his seals, we discover the germ, not merely of emancipated America, but of revolutionary Europe, and of the general amelioration of associated man throughout the world. The Revolution itself was but an inchoate movement, America alone considered; *a fortiori*, it was but the first chapter in the history of the great moral and political regeneration which is advancing over the earth, and to which it gave the primary impulse. The mere political disseverance of the Colonies from the mother country, was but the initiatory process in the grand and fundamental metamorphosis through which they had to pass, in order to derive any essential advantages from the separation; to wit, the entire abrogation of the regal investiture, and the assumption of free, independent, self-government. And unless contemplated in the broad light of a contest of *principle*, between the advocates of republican and those of kingly government, into which it finally resolved itself, it is of little importance to enquire what incident gave it birth, or who set it in motion. Stopping at the point at which many, who were the boldest at the outset, evidently wished it to stop, and with honest motives, the Revolution would have been nothing more, in effect, than transferring the government to other hands, without putting it into other forms; and no change would have been wrought in the political condition of the world. It would have been merely a spirited and successful rebellion, or rather a struggle for power, like that which long embroiled the royal races of Plantagenets, Tudors, and Stuarts, terminating, at best, in a limited modification of the old system, and most likely, in its entire adoption, substituting George or John the First, in the room of George the Third. Many a firm breasted champion of the Revolution, proved deficient in metal when brought to the bar of principle. The whig of the first crisis, was transformed into the tory of the second, in many cases, and *vice versa*.

The solution of the problem, as it is usually stated, therefore, if practicable, would afford no certain criterion of the relative advance of the leading minds of that period. But the question becomes a rational one, and assumes a powerful interest, if presented in its

proper aspect ; when and with whom originated those eternal rules of political reason and right, which crowned with glory and immortality the American Revolution, and made it one in substance as well as form ? To whom belongs the honor of conceiving the sublime, creative idea of giving to those detached and chaotic fragments of empire, which formed the nucleus of the American nation, not only shape and organization, but a new projectile impulse, to revolve in an untried orbit, under the control of a new equilibrium of forces ? Viewing the subject under these, its *moral* phases, it becomes of some consequence to ascertain the origin and progress of individual opinions. Those of Mr. Jefferson, both as to date and character, will gradually, and in due time, unfold themselves to the reader, in the course of the sequel. Meanwhile, it is difficult to affirm whether Massachusetts, who has evinced an honorable degree of sensibility upon this topic, will feel most solaced or rebuked by the following compliment paid her by Mr. Jefferson, a few years since, in a letter to Samuel A. Wells. "We willingly cedeto her the laud of having been, although not exclusively, the cradle of sound principles ; and if some of us believe she has deflected from them in her course, we retain full confidence in her ultimate return to them." Again, in a letter to General Dearborn, soon after the close of the last war, he apostrophizes her, in a tone of such winning and fraternal supplication, and so much in unison with our position, that we cannot omit introducing it here.

"Oh Massachusetts ! how have I lamented the degradation of your apostacy ! Massachusetts, with whom I went with pride in '76, whose vote was my vote on every public question, and whose principles were then the standard of whatever was free or fearless. But then she was under the counsels of the two Adamses ; while Strong, her present leader, was promoting petitions for submission to British power and British usurpation. While under her present counsels, she must be contented to be nothing ; as having a vote, indeed, to be counted, but not respected. But should the State, once more, buckle on her republican harness, we shall receive her again as a sister, and recollect her wanderings among the crimes only of the parricide party, which would have basely sold what their fathers so bravely won from the same enemy. Let us look forward, then, to the act of repentance, which, by dismissing her venal traitors, shall be the signal of return to the bosom, and to the principles of her brethren ; and, if her late humiliation can just give her modesty enough to suppose that her southern brethren are somewhat on a par with her in wisdom, in information, in

patriotism, in bravery, and even in honesty, although not in psalm-singing, she will more justly estimate her own relative *momentum* in the Union. With her ancient principles, she would really be great, if she did not think herself the whole. I should be pleased to hear that you go into her councils, and assist in bringing her back to those principles, and to a sober satisfaction with her proportionable share in the direction of our affairs."

In 1767, Mr. Jefferson was inducted into the practice of the Law, at the bar of the General Court, under the auspices of his learned preceptor and friend, Mr. Wythe. He brought with him into practice, the whole body of ancient and modern jurisprudence, text and commentary, from its rudest monuments in Anglo-Saxon, to its latest depositories in polished vernacular, well systematized in his mind, and ready for use at a moments warning. A specimen of his familiarity with the vast phalanx of legal authorities, from Prisot down to Lord Mansfield, will presently appear; although it was originally intended as a confidential deposite in the bosom of his correspondent. But his professional career was brief, and unfavored with any occasion adequate to disclose the immensity of his technical preparation, or the extent of his abilities as an advocate. The outbreak of the Revolution, which was followed by a general occlusion of the Courts of Justice, trod close upon his introduction to the bar; and while it closed one important avenue to distinction, ushered him upon a broader and more diversified theatre of action.

During the short interval which he spent in his profession, he acquired considerable celebrity; but his forensic reputation is so disproportioned to his unusually versatile pre-eminence, as to have occasioned the general impression that he was deficient in the requisite qualifications for a successful practitioner at the bar. That this was not the case, however, we have the authority of a gentleman,* whose opportunities of information, and well known political bias, are a guaranty of the literal accuracy of his statement. "Permit me," says he, "to correct an error which seems to have prevailed. It has been thought that Mr. Jefferson made no figure at the bar: but the case was far otherwise. There are still extant, in his own fair and neat hand, in the manner of his master, a number of arguments which were delivered by him at the bar upon some of the most intricate questions of the law; which, if they shall ever see

* William Wirt.

the light, will vindicate his claims to the first honors of the profession."

Again, we have the authority of the same gentleman upon another interesting point. It will be new to the reader to learn that Mr. Jefferson was any thing of a popular orator. "It is true," continues the writer, "he was not distinguished in popular debate; why he was not so, has often been matter of surprise to those who have seen his eloquence on paper, and heard it in conversation. He had all the attributes of the mind, and the heart, and the soul, which are essential to eloquence of the highest order. *The only defect was a physical one*: he wanted volume and compass of voice for a large deliberative assembly; and his voice, from the excess of his sensibility, instead of rising with his feelings and conceptions, sunk under their pressure, and became guttural and inarticulate. The consciousness of this infirmity repressed any attempt in a large body, in which he knew he must fail. But his voice was all sufficient for the purposes of judicial debate; and there is no reason to doubt, that if the services of his country had not called him away so soon from his profession, his fame, as a lawyer, would now have stood upon the same distinguished ground which he confessedly occupies as a statesman, an author, and a scholar."

The "arguments," above mentioned, have not yet seen the light; but a curious fragment exists, in the form of a letter to the celebrated English whig, Major John Cartwright, which displays at one view, the wonderful copiousness of legal research, fertility and promptitude of reference, which he possessed, and brought down with him to the age of eighty-one. This long and learned letter embraces a wide range of historical details, and political information; and partakes more of the character of a treatise on the British and American Constitutions, than of an epistolary communication. The part which we quote, contains the detection, through a long labyrinth of legal authorities, of a fundamental heresy, which, at an early period, through a palpable mistranslation of two words, crept into the common law, and finally, by a series of cumulative adjudications, became firmly embodied in the text.

"I was glad to find in your book a formal contradiction, at length, of the judiciary usurpation of legislative powers; for such the judges have usurped in their repeated decisions, that Christianity is a part of the common law. The proof of the contrary, which you have

adduced, is incontrovertible; to wit, that the common law existed while the Anglo-Saxons were yet Pagans, at a time when they had never yet heard the name of Christ pronounced, or knew that such a character had ever existed. But it may amuse you, to show when, and by what means, they stole this law in upon us. In a case of *quare impedit* in the Year-book, 34. H. 6. folio 38. (anno 1458,) a question was made, how far the ecclesiastical law was to be respected in a common law court. And Prisot, Chief Justice, gives his opinion in these words. 'A tiel leis qu'ils de saint eglise ont en *ancien scripture* covient a nous a donner credence; car ceo common ley sur quels tous manners leis sont fondes. Et auxy, Sir, nous sumus obliges de conustre lour ley de saint eglise: et semblablement ils sont obliges de conustre nostre ley. Et, Sir, si poit apperer or a nousque l'evesque ad fait come un ordinary fera en tiel cas, adong nous devons ceo adjuger bon, ou auterment nemy,' &c. See S. C. Fitzh. Abr. Qu. imp. 89. Bro. Abr. Qu. imp. 12. Finch in his first book, c. 3. is the first afterwards who quotes this case, and mistakes it thus. 'To such laws of the church as have warrant in *holy scripture*, our law giveth credence.' And cites Prisot; mistranslating '*ancien scripture*,' into '*holy scripture*.' Whereas Prisot palpably says, 'to such laws as those of holy church have in *ancient writing*, it is proper for us to give credence;' to wit, to their *ancient written* laws. This was in 1613, a century and a half after the dictum of Prisot. Wingate, in 1658, erects this false translation into a maxim of the common law, copying the words of Finch, but citing Prisot. Wing. Max. 3. and Sheppard, title, 'Religion,' in 1675, copies the same mistranslation, quoting the Y. B. Finch and Wingate. Hale expresses it in these words; 'Christianity is parcel of the laws of England.' 1 Ventr. 293, 3 Keb. 607. But he quotes no authority. By these echoings and re-echoings from one to another, it had become so established in 1728, that in the case of the King *vs.* Woolston, 2 Stra. 834, the court would not suffer it to be debated, whether to write against Christianity was punishable in the temporal court at common law. Wood, therefore, 409, ventures still to vary the phrase and say, that all blasphemy and profaneness are offences by the common law; and cites 2 Stra. Then Blackstone, in 1763, IV. 59, repeats the words of Hale, that 'Christianity is part of the laws of England,' citing Ventr. and Strange. And finally, Lord Mansfield, with a little qualification, in Evans's case, in 1767, says, that 'the essential principles of revealed religion are part of the common law.' Thus ingulphing Bible, Testament, and all into the common law, without citing any authority. And thus we find this chain of authorities hanging link by link, one upon another, and all ultimately on one and the same hook, and that a mistranslation of the words '*ancien scripture*,' used by Prisot. Finch quotes Prisot; Wingate does the same. Sheppard quotes Prisot, Finch and Wingate. Hale cites nobody.

'The court, in Woolston's case, cites Hale. Wood cites Woolston's case. Blackstone quotes Woolston's case and Hale. And Lord Mansfield, like Hale, ventures it on his own authority. Here I might defy the best read lawyer to produce another scrip of authority for this judiciary forgery; and I might go on further to show, how some of the Anglo-Saxon priests interpolated in the text of Alfred's laws, the 20th, 21st, 22nd, and 23rd chapters of Exodus, and the 15th of the Acts of the Apostles, from the 23d to the 29th verses. But this would lead my pen and your patience too far. What a conspiracy this, between Church and State."

Major Cartwright was so captivated with the contents of this letter, that he could not resist the temptation to permit it to go to the press. Its appearance in the newspapers, excited some sensation, and occasioned, in part, a letter from Edward Everett, requesting further information upon the subject. In reply, Mr. Jefferson, after alluding to the publication of his letter, under the circumstances of frankness and freedom in which it was written, as "an unfair practice," says, it will "draw upon me the host of judges and divines. They may cavil, but cannot refute it. I fear not for the accuracy of any of my quotations. The doctrine might be disproved by many other and different topics of reasoning; but having satisfied myself of the origin of the forgery, and found how like a rolling snow-ball, it had gathered volume, I leave its further pursuit to those who need further proof." "A licence," continues he, "which should permit '*ancien scripture*' to be translated '*holy scripture*' annihilates at once all the evidence of language. With such a licence, we might reverse the sixth commandment into '*Thou shalt not omit murder.*' It would be the more extraordinary in this case, where the mis-translation was to effect the adoption of the whole code of the Jewish and Christian laws in the text of our Statutes." And he adds, "do we allow to our Judges this lumping legislation?"

CHAPTER II.

Mr. Jefferson came of age in 1764. He had scarcely arrived at his majority, when he was placed in the nomination of Justices for the county in which he lived ; and at the first election following, was chosen one of its Representatives to the Legislature.

He took his seat in that body in May, 1769, and distinguished himself at once, by an effort of philanthropy, to which the steady liberalization of sixty years has not brought up the tone of public sentiment ; at least, so far as to reconcile the major will to the personal sacrifices which it involves. The moral intrepidity that could prompt him, a new member, and one of the youngest in the House, to rise from his seat, with the composure of a martyr, and propose, amidst a body of inexorable planters, a bill "*for the permission of the Emancipation of Slaves,*" gave an earnest of his future career, too unequivocal to be misunderstood. It was an act of self immolation, worthy the best model of Sparta or Rome. He was himself a slave holder, and from the immense inheritance to which he had succeeded, probably one of the largest in the House. He knew too, that it was a measure of peculiar odium, running counter to the strongest interests, and most intractable prejudices of the ruling population ; that it would draw upon him the keenest resentments of the wealthy and the great, who alone held the keys of honor and preferment at home, besides banishing forever, all hope of a favorable consideration with the government. In return for this array of sacrifices, he saw nothing await him but the satisfaction of an approving conscience, and the distant commendation of an impartial posterity. He could have no possible motive but the honor of his country, and the gratification of a warm and comprehensive benevolence.

The bare announcement of the proposition gave a shock to the aristocracy of the House, which aroused their inmost alarms. It touched their sensibilities at a most irritable point, and was rejected by a sudden and overwhelming vote. Yet the courteous and conciliatory account which Mr. Jefferson has left of the transaction, ascribes the failure of the bill to the vicious and despotic influ-

ence of the government, which, by its unceasing frown, overawed every attempt at reform, rather than to any moral depravation of the members themselves. They were not insensible to the amazing merits of the proposition. "Our minds" says he "were circumscribed within narrow limits, by an habitual belief that it was our duty to be subordinate to the mother country in all matters of government, to direct all our labors in subservience to her interests, and even to observe a bigotted intolerance for all religions but hers. The difficulties with our Representatives were of habit and despair, not of reflection and conviction. Experience soon proved that they could bring their minds to rights, on the first summons of their attention." But indeed, under the regal government, how was it possible for any thing liberal to expect success. The Crown had directly or indirectly the appointment of all officers of any moment, even those, in part, of the ordinary Legislature. The King's Council, as it was called, which acted as an Upper House, held their places at the Royal will, and cherished a most humble obedience to that will; the Governor, too, who had a negative on the laws, held by the same tenure, and with still greater devotedness to it: and, last of all, the Royal negative, which formed the rear-guard to the whole, barred the final pass to every project of melioration. So wanton, indeed, was the exercise of this power in the hands of his Majesty, that for the most trifling reason, and sometimes for no conceivable reason at all, he refused his assent to laws of the most salutary tendency. Nay, the single interposition of an interested individual against a law, was scarcely ever known to fail of success, though in the opposite scale were placed the interests of a whole country.

This was Mr. Jefferson's *first* measure of reform; and although rendered abortive by the immature state of things, it was but the inception, as the reader will in due time perceive, of a long series of efforts, partly successful, partly not, in the same benevolent cause. It was the first public movement which he had the honor to originate, and the one, in all probability, whose spirit and object were most congenial to his heart. Indeed, it was but the glimmering of that principle, which constituted the polar star of his whole destiny, and which afterwards burst with such astonishing magnificence upon the world, in that immortal manifesto of his country, which proclaimed, that "all men are created equal, and endowed by

their Creator with certain inalienable rights." It was the primary development of the workings of a mind which comprehended, within the mantle of its benignity, every color and condition of human existence; and which saw, beyond the "rivers of blood" and "years of desolation" which intervened, that enchanting vision, which flashed upon his earliest musings, and kindled his expiring energies,—the vision of emancipated man throughout the world. But a few years after his legislative debut in the cause of slavery, we find him dilating with enthusiasm upon the same subject, in flying "Notes" to M. de Marbois, of the French legation, and recording that vehement and appalling admonition which recent events have almost ripened into prophecy:

"Can the liberties of a nation be thought secure when we have removed their only firm basis, a conviction in the minds of the people, that these liberties are of the gift of God? That they are not to be violated but with his wrath? Indeed, I tremble for my country, when I reflect that God is just; that his justice cannot sleep forever: that considering numbers, nature and natural means only, a revolution in the wheel of fortune, an exchange of situation is among possible events: that it may become probable by supernatural interference! The Almighty has no attribute which can take side with us in such a contest."

But the business of ordinary legislation was drawing to a close in Virginia. The fatal collision between Great-Britain and her Colonies, had waxed to a crisis, which suspended the regular action of government, and summoned the attention of its functionaries to more imperious concerns. Patrick Henry, who was seven years older than Mr. Jefferson, and three or four ahead of him in public life, had hitherto been the master-spirit of the Revolution at the South, and, by his superior boldness, had sustained its principal brunt. The time had now arrived, when he was to divide the burthen and the glory of the distinction, with one who was his junior only in years and eloquence, his equal in moral courage, but in every thing else his superior, at an immeasurable distance. The same session of the Legislature that first saw Mr. Jefferson a member, saw him first also in the little council of the brave. The same session also, (1769) witnessed the adoption of a new mode of resistance to British tyranny, which he acted a conspicuous part in promoting; to wit, the system of non-intercourse, by which the Colonies gradually dissolved all commercial connection with the mother country.

The opponents of the embargo, who have slept a good sound sleep, will now begin to bristle up, and say they have discovered, at last, the very germ of that diabolical principle. But here a difficulty presents itself, for the origin of the non-intercourse proceeding belongs to Massachusetts, the focus of all disinclination to embargoes ! The honor of it is hers; she having been pressed, from the peculiar circumstances of her local position, to take the precedence of the other Colonies in this important step. Is it possible, that the bruited restrictive system, which was so humiliating in a Jefferson and a Madison, and so heretical in 1808-9, should owe its birth place to the 'cradle of sound principles,' or trace its pedigree upon the escutcheons of '76 ? It is no less remarkable than true. And the measure, equally honorable on both occasions, was attended with correspondent and glorious results to our common country. Experience has proved, that the most effectual mode of warfare with a nation, which excludes the principle of reciprocity from her code, and grasps at monopolizing the commerce of the world, is to withdraw peaceably from her intercourse, and, by a vigorous system of retaliation, to debar her from ours. This indeed has never failed to bring matters to a favorable issue, either by compelling her to retire upon the high ground of the Law of Nations, or by exasperating her, as in two memorable instances, to such a pitch of madness, as is decreed to be the certain precursor of self-destruction.

But in whatever light the principle may have been viewed in later times, its application was eminently efficacious in producing the final appeal, in 1775. It touched, at the most sensitive and irascible point, the great feeling which neutralizes every other in a commercial State, to wit, that of interest. Happily, Mr. Jefferson became a member of the Legislature, soon after the adoption of the system in Massachusetts; he foresaw its operation, if acted upon generally and in concert; and immediately conceived the design of bringing Virginia up to a line with her northern sister. A concise view of the state of affairs at this period is important.

The bold and unequivocal attitude into which Virginia had thrown herself by the opposition, which she headed in '65, against the Stamp Act, was imitated with infectious rapidity by all the other Colonies; which raised the general tone of resentment to such a height, as made Great Britain herself quail before the tempest she had excited. The Stamp Act was repealed; but its re-

peal was soon followed by a series of parliamentary and executive acts, equally unconstitutional and oppressive. Among these, were the Declaratory Act of a right in the British Parliament, to tax the Colonies in all cases whatsoever ; the quartering of large bodies of British soldiery in the principal towns of the Colonies, at the expense and incessant annoyance of the inhabitants ; the dissolution, in rapid succession, of the Colonial Assemblies, and the total suspension of the legislative power in New York ; the imposition of duties on all teas, glass, paper, and other articles of the most necessary use, imported into the Colonies, and the appointment of Commissioners, armed with unlimited powers, to be stationed in the several ports for the purpose of exacting the arbitrary customs. These despotic measures, with others of a similar character, produced immediate recourse to retaliation, in the commercial Provinces. The people of Massachusetts, upon whom they fell with their first and heaviest pressure, were the foremost also in resisting their operation. They entered into an association, by which they agreed and solemnly bound themselves, not to import from Great Britain any of the articles taxed, or to use them. They also addressed a circular letter to their sister Colonies, inviting their concurrence and co-operation, in all lawful and constitutional means, for procuring relief from their oppressions. Petitions, memorials, and remonstrances were accordingly addressed to the King and Parliament, by the Legislatures of the different Colonies, entreating a rescission of the obnoxious measures, and blending with their entreaties, professions of unwavering loyalty. To these no answer was condescended. But the non-intercourse proceedings in Massachusetts were of a character too ruinous to the new revenue bill, not to excite attention. They immediately called forth a set of joint resolutions, and an address, from the Lords and Commons. These resolutions condemned, in the severest terms, all the measures adopted by the Colonies. They re-asserted the right of taxation, and of quartering their troops upon the Colonies. They even went so far as to direct, that the King might employ force of arms, sufficient to quell the disobedient ; and declared that he had the right to cause the promoters of disorders to be arrested and transported to England for trial.

These resolutions of the Lords and Commons arrived in America, in May, 1769. The House of Burgesses of Virginia was then in

session, and Mr. Jefferson, as we have seen, was for the first time a member. The doctrines avowed in these menacing papers, although they were directed principally against the people of Massachusetts, were too extraordinary to be overlooked in any assembly which contained a Jefferson. They were no sooner made known to the House, than he proposed the adoption of counter resolutions, and advocated warmly, the propriety of making common cause with Massachusetts, at the hazard of every sacrifice. Counter resolutions, and an address to the King, were accordingly agreed to, with little opposition; and the pregnant determination was then and there formed, *of considering the cause of any one Colony as a common one.* The seed of the *American Union* was here first sown. Who cannot perceive, in that spirit of godlike magnanimity, which forgot self, kindred, friends, every thing, in commiseration of the sufferings of a distant Colony, the elements of that powerful fraternal principle, which carried these Colonies in solid phalanx, side to side, and step for step, through the angry billows of the Revolution; and which, through so many years of high prosperity, has overawed every rampant ebullition, and, by a ceaseless attraction, held upon its point every discordancy of interest and opinion. The spark which was elicited on this occasion, was communicated from heart to heart, and from Colony to Colony, until the principle of cohesion became paramount and universal, dissolving every incongruous tie, and melting into one mass, having a common interest and a common danger, the whole body of the people. By the resolutions which they passed, the Legislature re-asserted the exclusive right of the Colonies to tax themselves in all cases whatsoever; denounced the recent acts of Parliament, as flagrant violations of the British Constitution; and remonstrated, sternly, against the assumed right to transport the freeborn citizens of America to England, to be tried by their inveterate enemies. The tone of these resolutions was so strong, as to excite, for the first time, the displeasure of the Governor, the amiable Lord Botsford, whose facility of disposition was proverbial. The House had scarcely adopted, and ordered them to be entered upon their journals, when they were summoned to his presence, to receive the sentence of dissolution. "Mr. Speaker," said he, "and gentlemen of the House of Representatives, I have heard of your resolves, and augur ill of their

effects ; you have made it my duty to dissolve you, and you are accordingly dissolved."

But the interference of the Executive had no other effect, than to encourage the holy feeling it attempted to repress. The next day, led on by the young spirits, Jefferson, Henry, and the two Lees, the great body of the members retired to a room, called the Apollo, in the Raleigh tavern, the principal hotel in Williamsburg. They there formed themselves into a voluntary Convention, drew up Articles of Association against the use of any merchandise imported from Great Britain, signed, and recommended them to the people. They repaired to their several counties, circulated the Articles of the League among their constituents, and, to the astonishment of all, so popular was the measure, that at the call of another Legislature, themselves were re-elected without a single exception.

The impetus thus given to the heroic example of Massachusetts, by a remote Province, carried it home to the breast of every Colony. The non-importation agreement became general. All the luxuries, and many of the comforts of life, were sacrificed, at once, on the altar of colonial liberty. The history of that period presents a sublime spectacle of self-devotement, and rigorous patriotism. Associations were formed at every point, and a systematic war of interdiction and non-consumption, was directed against British merchandise. All ranks, all ages, and both sexes joined, with holy emulation, in *nullifying* the unconstitutional tariff. The ladies, who are never permitted to be greatest but on the greatest occasions, established a peculiar claim to pre-eminence, on this. They relinquished, without a struggle, all the elegancies, the embellishments, and even the comforts to which they had been accustomed ; and experienced a refined pleasure in preferring, for their attire, the simple fabric of their own free hands, to the most gorgeous habiliments of tyranny. In Virginia, the anti-revenue movement was reduced to a system, and pursued with unparalleled rigor. A committee of vigilance was established in every county, whose duty it was to promote subscriptions to the covenant, and to guard the execution of the Articles. The powers of these committees, being undefined, were almost unlimited. They examined the books of the merchant, and pushed their inquisitorial tribunal into the sanctity of the fire-side, punishing every breach, by fine and public advertisement of the offender, and rewarding every observance by an appropriate

badge of merit. Such, too, was the imperious virtue of popular opinion, that from their decision there was no appeal. All who refused to subscribe the covenant of self-disfranchisement, or proved derelict in one iota, to its obligations, underwent a species of social excommunication. But the examples of delinquency were exceedingly rare—of recusancy, rarer; a few old tories only, of the most intractable stamp, were sent into gentlemanly exile, beyond the mountains.

The dissolution of the House of Burgesses, was not attended, as before remarked, with any change in the popular representation; except only in the very few instances of those who had declined assent to the patriot proceedings. The next meeting of the Legislature, of any permanent interest, which was not until the spring of 1773, saw Mr. Jefferson again at his post, and intent upon the great business of substituting just principles of government, in the room of those which unjustly prevailed.

A court of inquiry, held in Rhode-Island, as far back as 1762, in which was vested the extraordinary power to transport persons to England, to be tried for offences committed in America, was considered by him as demanding attention, even after so long an interval of silence. He was not in public life at the time this proceeding was instituted, and consequently had not the power to raise his voice against it; but such was his strong sense of political justice, that, when an important principle was violated, he deemed it never too late to rally to the breach. Acquiescence in such a high-handed encroachment, would give it the force of precedent, and precedent would soon establish the right. A suitable investigation and protest, too, would resuscitate the apprehensions of the Colonists, which had already relapsed into a fatal repose. This, indeed, appeared to him a more desirable result, than the simple reclamation of right in that particular case. Nothing of unusual excitement having occurred, during the protracted interval of legislative interruption, the people had fallen into a state of insensibility to their situation: and yet, the same causes of irritation existed, that had recently thrown them into such ferment. The duty on tea, with a multitude of co-incumbrances, still pressed upon them; and the Declaratory Act, of a right in the British Parliament, to bind them by their laws, in all cases whatsoever, still suspended over them, hanging by the tenure of ministeri-

al caprice. The lethargy of the public mind, under such a pressure of injustice, indicated to Mr. Jefferson, a fearful state of things. It presented to his philosophic eye, a degree of moral prostration, but one remove from that, which constitutes the proper element for despotism, and invites its fiercest visitations. It appeared to him indispensable, as a first measure, that something should be done, to break in upon the dead calm, which rested, like an incubus, on the Colonies, and to rouse the people to a sense of their real situation. Something, moreover, had been perpetually wanting, to produce concert of action, and a mutual understanding among the Colonies; which was essential to a systematic and efficacious resistance. These objects could only be accomplished, he conceived, by the dissemination, in an impressive form, of the earliest intelligence of events, with suitable and wholesome comments. This would keep their understandings sufficiently informed, and by scattering the flames of excitement, which were principally local, from one Colony to another, until the whole continent should be in a blaze, would keep them, also, in a mutual and constant state of alarm. With a view, therefore, to these important objects, and "not thinking the old and leading members up to the point of forwardness, which the times required," he proposed to a few of the younger ones, a private meeting, in the evening, "to consult on the state of things." On the evening of the eleventh of March, 1773, therefore, we find this little band of Virginia patriots, consisting of Mr. Jefferson, Patrick Henry, R. H. Lee, F. L. Lee, and Dabney Carr, assembled together in a private room of the Raleigh tavern, to deliberate on the momentous concerns of all British America. The minds of these bold statesmen were in perfect unison; and the concurrence of such minds, upon such an occasion, could scarcely fail to educe results, which should mark an era in the history of our nation. Nor did it so fail. This little conclave, at the Raleigh tavern in Williamsburg, had the distinguishing merit of originating the most formidable engine of Colonial resistance, that had ever been devised; to wit, the "*Committees of Correspondence*," between the Legislatures of the different Colonies: and the first visible offspring of this measure, was a movement of inconceivably more consequence, not only to America, but to the world—the call of a *general Congress of all the Colonies*.

This important result was foreseen, it appears, by the meeting, particularly by Mr. Jefferson, who has left us an interesting reminiscence of their doings, avoiding, in his usual way, any particular mention of his own agency.

"We were all sensible that the most urgent of all measures, was that of coming to an understanding with all the other Colonies, to consider the British claims as a common cause to all, and to produce a unity of action; and for this purpose that a Committee of Correspondence, in each Colony, would be the best instrument for inter-communication: and that *their first measure would probably be, to propose a meeting of Deputies from every Colony*, at some central place, who should be charged with the direction of the measures which should be taken by all."

This presentiment, of the call of a General Congress, as the result of their meeting, must have made a powerful impression upon the mind of Mr. Jefferson; for at the age of seventy-three it was still fresh in his memory. In a letter to a son of Dabney Carr, in 1816, he alludes to it: "I remember that Mr. Carr and myself, returning home together, and conversing on the subject, by the way, concurred in the conclusion, that that measure [Committees of Correspondence] must inevitably beget the meeting of a Congress of Deputies from all the Colonies, for the purpose of uniting all in the same principles and measures, for the maintenance of our rights."

It being decided to recommend the appointment of these committees, Mr. Jefferson proceeded to draft a set of resolutions to that intent, and improved the opportunity to insert a special one, directing an inquiry into the judicial proceedings in Rhode-Island. The resolutions being agreed to, it was decided to propose them to the House of Burgesses, the next morning. His colleagues in council, pressed upon Mr. Jefferson to move them; "but I urged," says he, "that it should be done by Mr. Carr, my friend and brother-in-law, then a new member, to whom I wished an opportunity should be given, of making known to the House, his great worth and talents." It was accordingly agreed that Mr. Carr should move them; after which, this patriotic coterie dissolved, and repaired to their lodgings.

The resolutions were brought forward in the House of Burgesses, the next morning, by young Mr. Carr; who failed not to exhibit on the occasion, "his great worth and talents," in a speech which electrified the whole assembly. For once, it is said, the genius of Henry stood rebuked, before the eloquence of such a rival. Mr. Carr

was a member from the county of Louisa, handsome in person, dignified and engaging in manners, rich in imagination, cogent in reasoning, firm and undaunted in purpose, enthusiastic in the cause of liberty; and from the high promise which this display of his abilities and patriotism inspired, he was hailed as a powerful acquisition to the reform party. The members flocked around him, greeted him with praises, which spoke fervently in their countenances; and congratulated themselves on the accession of such a champion to their cause. But how soon were these proud anticipations blighted. Brief was the career of the eloquent and lamented Carr. In two months from the occasion which witnessed this, his first and last popular triumph, he was no more.

With what sensations Mr. Jefferson contemplated the success of "his friend and brother-in-law," and marked the deep sentiment of admiration which pervaded every bosom, can only be imagined. His great expectations were realized; he was overpowered with delight; and the scene altogether, made an impression upon him, which time could not obliterate. Nearly half a century afterwards, he reverts to the transaction, in a letter to a friend, with a freshness which showed a heart yet warm with the feeling it excited.

"I well remember the pleasure expressed in the countenance and conversation of the members generally, on this debut of Mr. Carr, and the hopes they conceived, as well from the talents as the patriotism it manifested. But he died within two months after, and in him we lost a powerful fellow laborer. His character was of a high order. A spotless integrity, sound judgment, handsome imagination, enriched by education and reading, quick and clear in his conceptions, of correct and ready elocution, impressing every hearer with the sincerity of the heart from which it flowed. His firmness was inflexible in whatever he thought was right: but when no moral principle stood in the way, never had man more of the milk of human kindness, of indulgence, of softness, of pleasantry in conversation and conduct. The number of his friends, and the warmth of their affection, were proofs of his worth, and of their estimate of it. To give to those now living, an idea of the affliction produced by his death, in the minds of all who knew him, I liken it to that lately felt by themselves, on the death of his eldest son, Peter Carr, so like him in all his endowments and moral qualities, and whose recollection can never recur without a deep-drawn sigh from the bosom of any one who knew him."

The resolutions were adopted the same day, March 12, 1773, without a dissenting voice. They had been drafted so dexter-

ously, and in such guarded terms, as not to awaken a suspicion in the old and cautious members, of their probable tendency ; which caused a unanimous concurrence in the vote. They stand recorded on the journals of the House, thus :

Whereas, the minds of His Majesty's most faithful subjects in this Colony have been much disturbed, by various rumors, and reports of proceedings, tending to deprive them of their ancient, legal, and constitutional rights :

"And whereas, the affairs of this Colony are frequently connected with those of Great Britain, as well as the neighboring Colonies, which renders a communication of sentiments necessary ; in order, therefore, to remove the uneasiness, and to quiet the minds of the people, as well as for the other good purposes above mentioned :

"Be it resolved, That a standing Committee of Correspondence and enquiry be appointed, to consist of eleven persons, to wit : the honorable Peyton Randolph, Robert C. Nicholas, Richard Bland, Richard H. Lee, Benjamin Harrison, Edmund Pendleton, Patrick Henry, Dudley Digges, Dabney Carr, Archibald Cary, and Thomas Jefferson, esquires, any six of whom be a committee, whose business it shall be to obtain the most early and authentic intelligence of all such acts and resolutions of the British Parliament, or proceedings of administration, as may relate to, or affect the British Colonies in America ; and to keep up and maintain a correspondence and communication with our sister Colonies, respecting those important considerations ; and the result of such their proceedings, from time to time, to lay before this House.

"Resolved, That it be an instruction to the said committee, that they do, without delay, inform themselves particularly of the principles and authority, on which was constituted a court of enquiry, said to have been lately held in Rhode-Island, with powers to transport persons accused of offences committed in America, to places beyond the seas to be tried.

"The said resolutions being severally read a second time, were, upon the question severally put thereupon, agreed to by the House, *nemine contradicente*.

"Resolved, That the Speaker of this House do transmit to the Speakers of the different Assemblies of the British Colonies on the continent, copies of the said resolutions, and desire that they will lay them before their respective Assemblies, and request them to appoint some person or persons of their respective bodies, to communicate from time to time with the said committee."

The House of Burgesses had no sooner passed these resolutions, than they were dissolved, as usual, by the Governor, then Lord Dunmore. For, although clothed in the most plausible and inoffensive

language, that watchful Executive had too much sagacity not to perceive, that they laid the foundation for a more formidable amount of resistance, than had yet been apprehended. But the sentence of dissolution had no other effect, than to give a popular impulse to the proceedings that led to it; and to excite to greater promptitude and zeal, those who were designated in the resolutions, for putting the machine into operation. The very next day, the Committee of Correspondence assembled, organized, and proceeded to business. They adopted a Circular letter, prepared by Mr. Jefferson, to the Speakers of the other Colonies, enclosing to each a copy of the resolutions; and left it in charge with their Chairman, Peyton Randolph, who was also Speaker of the House, to transmit them *by expresses*. The chief mover, thus had the happiness to see his favorite measure in an energetic course of execution.

Although the result of the Raleigh consultation had a more decisive bearing upon the subsequent movements of the country, than any recommendation that had preceded it, yet we find no mention of the occurrence in any of the numerous books of our revolution. But the history of the American Revolution has not been written, so said John Adams, in 1815; Mr. Jefferson echoes back the sentiment of his correspondent, and adds, it never can be written. ‘On the subject, says he, of the history of the American Revolution, you ask, who shall write it? Who can write it? And who will ever be able to write it? Nobody; except merely its external facts; all its councils, designs, and discussions were conducted in secret, and no traces of them were preserved. These, which are the life and soul of history, must forever be unknown.’ Mr. Madison is the only person now, who can be looked to with any confidence, to supply the revelation of these ‘councils and designs,’ and the public expectation is strongly directed to that quarter; but it is not probable that even he possesses the requisite materials for such an undertaking.

As an example of the imperfection of our revolutionary chronicles, it should be here noted, that the origination of these Committees of Correspondence between the Colonies, was for a long time claimed in behalf of Massachusetts. Gordon was the first historian who committed the oversight;* Marshall† copied Gordon, with

* Vol. 1. page 202.

† Life of Washington, Vol. 2. p. 139.

some improvements upon the text ; succeeding historians, copying them, repeated the error, until it became established. But the matter was set to rights in a letter from Mr. Jefferson to Samuel A. Wells, of Boston, dated May 12th, 1819 ; in which the historical distinction is lucidly traced between the *provincial* Committees of Correspondence, which originated in Massachusetts, in 1772, and the *national* Committees, which originated in Virginia, in 1773 ; the former, were expressly for a correspondence among the several towns of that province only ; the latter, for a correspondence among the several Colonies. Mr. Wells, upon an investigation of the subject, concurs in the same conclusion, in a letter to his informant ; and further shows, that Massachusetts did not adopt the measure, but on the receipt of the proposition from Virginia, which was at their next session. Mr. Jefferson, however, is slightly mistaken in ascribing the error, in the first instance, to Marshall, who is partially supported by the previous authority ; though he does not expressly cite him upon the point.

The recommendation of the Virginia Legislature was responded to with alacrity by the sister Colonies, and parallel Committees of Correspondence were appointed by them all, as their Assemblies successively convened. By this means, a channel of direct and vigorous inter-communication was established between the various Provinces ; which, by the reciprocal interchange of opinions and alarms, and the mutual fusion of interests and affections, maintained a steady equalization of purpose and action throughout the Colonies, and “ consolidated the phalanx which breasted the power of Britain.” The operations of this great political institution were incalculably beneficial to the American cause. Its precise influence upon the course and management of the Revolution has never been critically and historically ascertained. Its mighty cabinet has never been broken open, and the contents exposed to the world ; yet it is supposed, that the publication of its voluminous correspondence would exhibit some of the most vehement productions of Mr. Jefferson’s pen, as he sustained an active agency in its functions ; and it is generally believed, that the revelation of its transactions and counsels, would develope to the world the secret springs and causes of many movements, the knowledge of which would reflect accumulated glory on the venerated chiefs of that bold era.

As was predicted by Mr. Jefferson, and his confederates in the scheme, the establishment of Corresponding Committees resulted in the convocation of a General Congress ; which event followed, indeed, the ensuing year. The intermediate steps to that important result, require a summary notice, in order to display the connection of the prophecy with the fulfilment.

The resistance to the revenue impositions had been conducted with such inflexibility, and such general concert, as to have checked the regular current of importation into the Colonies, and occasioned a prodigious surcharge of the duties on commodities in England. Immense quantities of tea, in particular, had accumulated in the warehouses of the East India company—a monopoly, which was much caressed by the Government, and had an extensive influence over it. This Company having obtained permission to transport their tea, free of the usual export duty, from Great Britain to America, on condition, that upon its introduction there, the duty of three pence per pound should be paid, immediately dispatched enormous shipments to Boston, and other American ports. On the arrival of the tea in Boston, the patriots were thrown into a phrenzy of mingled indignation and alarm. They saw, and felt, that the crisis now approached, which was to decide the great question, whether they would submit to taxation without representation, or brave the consequences of some decisive movement, of a physical nature, adequate to relieve them from the emergency. For, if the tea was permitted to be landed, it would be sold, the duties paid, and all that they had gained, be lost. They resolved, therefore, that it should not be landed ; and the resolution was no sooner formed, than executed, by the destruction of the entire cargo.

The intelligence of this spirited coup de main in vindication of popular rights, so exasperated the British ministry, that, in their thirst for vengeance, they resorted to a measure which fixed the irrevocable sentence of dismemberment upon the British empire. This was the famous Boston Port Bill, by which the harbor of that great commercial emporium was closed against the importation of any goods, wares or merchandise whatsoever, from and after the first day of June, 1774.

Upon the arrival in Boston of the rumor of the impending calamity, a meeting of the inhabitants was called ; the act was denounced as cruel and flagitious ; they made their appeal to God

and the world. Numerous copies of the act were printed and dispersed over the Colonies; and to make a deeper impression on the multitude, the copies were printed on mourning paper, bordered with black lines; and they were cried through the country as the '*barbarous, cruel, sanguinary and inhuman murder.*'*

The Legislature of Virginia was in session when the news of this tyrannical interdict was received, to wit, in May, 1774. Mr. Jefferson was still a member, and his sympathies for the bleeding partizans of liberty at the North, now rose to a point unequalled at any previous stage of their sufferings. Quickly perceiving the advantages to be derived from the popular effervescence, which he foresaw it would create, he as quickly devised the means for wielding those advantages to effect, and for the benefit of the common cause. The history of the machinery, which his creative genius now put in motion, is curious and interesting. Fearful to trust the lead, at this propitious moment, to the tardy pace of the old members, he again rallied the little council of chiefs, with whom he had confederated on the former occasion, and concerted a private meeting, the same evening, at the Council Chamber of the Library, 'to consult on the proper measures to be taken.' Punctual at the appointed hour, those kindred spirits met; and mutually ripe in sentiment, they unanimously agreed, that they 'must boldly take an unequivocal stand in the line with Massachusetts.' They were also impressed with the necessity of arousing the people from the apathy into which they had fallen, as to passing events; and for this purpose, Mr. Jefferson, with a keensighted perception of human nature, that would have honored the wisdom of age, proposed the appointment of *a day of general fasting and prayer throughout the Colony*, "as most likely to call up and alarm their attention." The proposition met an enthusiastic acceptance with his colleagues; and he was requested to prepare the necessary instrument, to be presented to the House. The reader will be curious to learn how Mr. Jefferson proceeded to mature, and marshal in proper form, the appropriate technics of so grave and serious a performance. "No example," says he, "of such a solemnity had existed since the days of our distress in the war of '55, since which a new generation had grown up. With the help, therefore, of Rush-

* Botta, Vol. 1. page 120.

worth, whom we rummaged over for the revolutionary precedents and forms of the Puritans of that day, preserved by him, we cooked up a resolution, somewhat modernizing their phrases, for appointing *the first day of June*, on which the Port Bill was to commence, for a day of fasting, humiliation and prayer, to implore Heaven to avert from us the evils of civil war, to inspire us with firmness in support of our rights, and to turn the hearts of the King and Parliament to moderation and justice." The draft was approved by the consulting members; but before they separated, another important figure was necessary to be arranged; and the manner in which it was done, showed the wisdom and sagacity which presided over the deliberations of that heroic conclave. "To give greater emphasis to our proposition," continues Mr. Jefferson, "we agreed to wait, the next morning, on Mr. Nicholas, whose grave and religious character was more in unison with the tone of our resolution, and to solicit him to move it." They accordingly went to Mr. Nicholas the next morning. He moved it the same day, May 24th; and to their equal astonishment and gratification, it passed without opposition.

The instrument was drawn up very much after the pattern of the New England proclamations of the present day, with great solemnity of air and phraseology, directing the members, "preceded by the Speaker and many," to assemble on the appointed day, "devoutly to implore the Divine interposition for averting the heavy calamity which threatens destruction to our civil rights, and the evils of civil war; to give us one heart and one mind, firmly to oppose, by all just and proper means, every injury to American rights; and that the minds of His Majesty and Parliament may be inspired from above with wisdom, moderation, and justice, to remove from the loyal people of America, all cause of alarm from a continued pursuit of measures pregnant with their ruin."

The solemn example of Virginia was the signal for a general movement among the Colonies. The same religious observance was ordered to be kept, on the same day, in all the principal towns; and the first day of June was a day of general mourning throughout the continent. Business was suspended; the bells all sounded a funeral knell; the pulpits reverberated with incendiary discourses; and every engine of popular terror was put in requisition. In Virginia, the heavens were shrouded in gloom; the ministers of the

religion, arrayed in their long black robes, headed processions of the people, and alarmed them, from the pulpit, with terrific appeals to their passions; the popular orators pronounced their inflammatory harrangues; the committees of vigilance circulated the infection into every village; and all co-operated, with prodigious effect, in promoting the general conflagration. The countenances of the multitude, it appears, partook wofully of the general eclipse. "The people," says Mr. Jefferson, "met generally, with anxiety and alarm in their countenances, and the effect of the day, through the whole Colony, was like a shock of electricity, arousing every man, and placing him erect and solidly on his centre."

But the most important transaction of this eventful session, remains to be considered. The chain of causes and consequences, conducted, by a close and happy involution, to the grand result, so confidently predicted, and so much desired by Mr. Jefferson. It would hardly seem credible at the present day, that a resolution for the appointment of a religious ceremony, conceived in such terms of mingled devotion and loyalty, as was that of the House of Burgesses, should have provoked the hostile interposition of the Executive power. But so it was. The order of the House, for a general fast, had no sooner fallen under the jealous eye of Lord Dunmore, than he made his appearance before them with the following speech: "Mr. Speaker and gentlemen of the House of Burgesses: I have in my hand a paper published by order of your House, conceived in such terms as reflect highly upon His Majesty and the Parliament of Great Britain, which makes it necessary to dissolve you, and you are dissolved accordingly."

But the powers of the government had become completely paralyzed in that contumacious Colony; and its Executive decrees were regarded as idle ceremonies. Disrobed of their official capacity only, not disheartened, nor disunited in purpose, the whole body of the members, headed by the bold chiefs whom we have so often designated, repaired in a mass to the Apollo, the consecrated seat of their former deliberations. They immediately organized themselves into an independent Convention, agreed to an association, more solemnly than ever, against the calamitous revenue system; declared, boldly, that an attack on any one Colony, to compel submission to arbitrary taxes, should be considered an attack on all British America; and instructed their Committee of Correspondence to propose to the cor-

responding committees of the other Colonies, *the expediency of appointing Deputies to meet in Congress, annually*, at such place as should be convenient, to direct, from time to time, the measures required by the general interest.

The following is the manifesto adopted on this occasion, signed by eighty-nine members. The internal evidence, which is sufficiently strong, is the only proof Mr. Jefferson thought proper to leave, of its having come from him.

“An association, signed by eighty-nine members of the late House of Burgesses. We, His Majesty’s most dutiful and loyal subjects, the late Representatives of the good people of this country, having been deprived, by the sudden interposition of the Executive part of this government, from giving our countrymen the advice we wished to convey to them, in a legislative capacity, find ourselves under the hard necessity of adopting this, the only method we have left, of pointing out to our countrymen such measures as, in our opinion, are best fitted to secure our dear rights and liberty from destruction, by the heavy hand of power now lifted against North America. With much grief we find, that our dutiful applications to Great Britain for the security of our just, ancient, and constitutional rights, have been not only disregarded, but that a determined system is formed and pressed, for reducing the inhabitants of British America to slavery, by subjecting them to the payment of taxes, imposed without the consent of the people or their Representatives; and that, in pursuit of this system, we find an act of the British Parliament, lately passed, for stopping the harbor and commerce of the town of Boston, in our sister Colony of Massachusetts Bay, until the people there submit to the payment of such unconstitutional taxes; and which act most violently and arbitrarily deprives them of their property, in wharves erected by private persons, at their own great and proper expense; which act is, in our opinion, a most dangerous attempt to destroy the constitutional liberty and rights of all North America. It is further our opinion, that as tea, on its importation into America, is charged with a duty imposed by Parliament, for the purpose of raising a revenue, without the consent of the people, it ought not to be used by any person who wishes well to the constitutional rights and liberties of British America. And whereas the India company have ungenerously attempted the ruin of America, by sending many ships loaded with teas into the Colonies, thereby intending to fix a precedent in favor of arbitrary taxation, we deem it highly proper, and do accordingly recommend it strongly to our countrymen, not to purchase or use any kind of East India commodity whatsoever, except saltpetre and spices, until the grievances of America are redressed. We are further clearly of opinion, that an attack made on one of our sister Colonies, to

compel submission to arbitrary taxes, is an attack made on all British America, and threatens ruin to the rights of all, unless the united wisdom of the whole be applied. *And for this purpose it is recommended to the Committee of Correspondence, that they communicate with their several corresponding committees, on the expediency of appointing Deputies from the several Colonies of British America, to meet in general Congress, at such place, annually, as shall be thought most convenient ; there to deliberate on those general measures which the united interests of America may from time to time require.*

A tender regard for the interests of our fellow subjects, the merchants and manufacturers of Great Britain, prevents us from going further at this time ; most earnestly hoping, that the unconstitutional principle of taxing the Colonies without their consent, will not be persisted in, thereby to compel us, against our will, to avoid all commercial intercourse with Britain. Wishing them and our people free and happy, we are their affectionate friends, the late Representatives of Virginia.”

That no time might be lost in carrying into effect their own recommendation of a Congress, they did not leave their seats without first having arranged the preliminary meeting for the choice of their own Deputies. They passed a resolution soliciting the people of the several counties, to elect Representatives, to meet at Williamsburg, the 1st of August ensuing, to take into further consideration the state of the Colony ; and particularly to appoint Delegates to the General Congress, should that measure be acceded to by the Corresponding Committees of the other Colonies. The meeting then dissolved ; and the members, on returning to their respective counties, were universally greeted with the plaudits and congratulations of their countrymen.

CHAPTER III.

From this period, 1774, the royal government might be considered as virtually at an end, in Virginia. The self-constituted Convention, which was erected upon the ruins of the regal Legislature, immediately succeeded, by a bold usurpation, to all its functions, and took the reins of the government completely into their own hands.

Agreeably to their instructions, the Committee of Correspondence lost no time in proposing to the co-ordinate committees of the other Provinces, the expediency of uniting in the plan of a General Congress. They met the day after the adjournment of the Convention, Mr. Jefferson in the chair; prepared letters according to their instructions; and dispatched them by messengers express, to their several destinations. The proposition was unanimously embraced; by Massachusetts first, whose Legislature was in session, when it was received; and by all the other Provinces, in quick succession, in the order in which their respective Legislatures, or informal Conventions, assembled. Delegates were universally chosen; no Province sending less than two or more than seven. Philadelphia, forming a convenient central point, was designated as the place, and the 5th of September ensuing, as the time, of meeting.

Agreeably to the further recommendation of the memorable meeting at the Apollo, the people of the several counties of Virginia, universally elected Delegates to the preliminary Convention, at Williamsburg. Mr. Jefferson was chosen to represent the county in which he resided. Men of the first distinction in wealth, talents and wisdom, were uniformly selected; such as George Washington, the Randolphs, Pendleton, Wythe, Henry, the Lees, Nicholas, Bland, Harrison, &c. &c.; and on the first of August, '74, this formidable body, being the first democratic Convention in Virginia, assembled at Williamsburg, and organized for business, with all the solemnities of the regular Legislature.

Anticipating, probably, that he should be called upon to perform his usual office of draughtsman, at the Convention; or anxious, perhaps, to impress the stamp of liberality and forwardness upon their doings, Mr. Jefferson, before leaving home, had prepared a code of

instructions to the Delegates who should be chosen to Congress, which he meant to propose for their adoption. Speaking of these instructions, the author says, "they were drawn in haste, with a number of blanks, with some uncertainties and inaccuracies of historical facts, which I neglected at the moment, knowing they could be readily corrected at the meeting."

However much the diffidence of the author may have inclined him to deprecate the rigor of criticism, by diminishing its pretensions, it is generally admitted, that this production ranks second only to the Declaration of Independence; of which it was, indeed, the genuine precursor, both as it respects boldness and originality of sentiment, and unrivaled felicity of composition. He set out for Williamsburg, some days before that appointed for the meeting of the Convention, but was arrested on his journey by sickness, which prevented his attendance in person. His ardent spirit, however, was wholly there; and so anxious was he to discharge, in some way, the duties of his appointment, that he forwarded by express, duplicate copies of his draught; one under cover to Patrick Henry, the other, to Peyton Randolph, whom he presumed would be chairman of the Convention. His own account of the reception of his draught, is too interesting to be omitted.

"Whether Mr. Henry disapproved the ground taken, or was too lazy to read it,—for he was the laziest man in reading I ever knew,—I never learned: but he communicated it to nobody. He probably thought it too bold, as a first measure, as the majority of the members did. On the other copy being laid upon the table of the Convention, by Peyton Randolph, as the proposition of a member who was prevented from attendance, by sickness on the road, tamer sentiments were preferred, and, I believe, wisely preferred; the leap I proposed being too long, as yet, for the mass of our citizens. The distance between these, and the instructions actually adopted, is of some curiosity, however, as it shows the inequality of pace with which we moved, and the prudence required to keep front and rear together."

The paper was read, nevertheless, with great avidity, by the members; and although they considered it 'a leap too long' for the present state of things, they were so impressed with its profound and luminous expositions of the rights and wrongs of the Colonies, that they caused it to be published in pamphlet form, under the title of "A Summary View of the Rights of British America." A copy of the work having found its way to England, it was taken up by the

whigs in Parliament, interpolated some by the celebrated Burke, in order to adapt it to opposition purposes there, and in that form ran rapidly through several editions. Such doctrines as were advanced in this pamphlet, had never before been heard in England, nor even ventured in America; and they drew upon the author, the hottest vials of ministerial wrath. The name of Jefferson was forthwith enrolled in a Bill of Attainder, for treason, in company with those of about twenty other American citizens, who were considered the principal 'agitators' in the Colonies. The Attainder, however, although actually commenced in Parliament, never came to maturity, but 'was suppressed in embryo, by the hasty step of events, which warned them to be a little cautious.'

This ancient paper is highly valuable, as containing the first disclosure, in a round and authentic form, of the state of Mr. Jefferson's mind, on the subject of those great political questions, which were the bases of the American Revolution; and as exhibiting, in the discussions which it gave rise to, and in the circumstances attending its rejection by the Convention, the 'inequality of pace' with which the leaders in the American councils travelled onward, to the same result. It is curious and impressive to take a retrospective view of the minds of that noble fraternity of American sages, which, some straining on to keep up, others falling back to receive them, moved in a column of unanimity and power, which astonished the eighteenth century. Nor will it be thought invidious, at the present day, to compare the birth, and trace the relative progress of their opinions, on the subject of those eternal principles, the practical application of which, in a rational and peaceable way, has already regenerated the political condition of half the world.

It appears, that in the most essential *principles* involved in the emancipation of the American Colonies, from Great Britain—those principles, which settled the question upon its right basis, and determined the final crisis, by forming an issue of eternal irreconcilability—Mr. Jefferson was for a long time ahead of his cotemporaries. The great point, at which the leaders of that hazardous enterprise, with a single exception, halted, as the ne plus ultra of colonial right, he only called the 'half-way house.' A brief memorandum, which he himself has left of that period, explains the ground which he occupied, and the precise distance between him and his compatriots. Speaking of his draft of instructions, he says—

"In this I took the ground that, from the beginning, I had thought the only one orthodox or tenable, which was, that the relation between Great Britain and these Colonies, was exactly the same, as that of England and Scotland, after the accession of James and until the union; and the same as her present relations with Hanover, having the same executive chief, but no other necessary political connection; and that our emigration from England to this country, gave her no more rights over us, than the emigrations of the Danes and Saxons gave to the present authorities of the mother country, over England. In this doctrine, however, I had never been able to get any one to agree with me but Mr. Wythe. He concurred in it from the first dawn of the question—What was the political relation between us and England? Our other patriots, Randolph, the Lees, Nicholas, Pendleton, stopped at the half-way house of John Dickinson, who admitted that England had a right to regulate our commerce, and to lay duties on it for the purposes of regulation, but not of raising revenue. But for this ground there was no foundation in compact, in any acknowledged principles of colonization, nor in reason—expatriation being a natural right, and acted on as such, by all nations, in all ages."

Again, in a letter to John Saunderson, in 1820, containing some notices and recollections for the biography of George Wythe, he says:

"On the first dawn of the Revolution, instead of higgling on half-way principles, as others did, who feared to follow their reason, he [Wythe] took his stand *on the solid ground*, that the only link of political union between us and Great Britain, was the identity of our executive; that that nation, and its Parliament, had no more authority over us, than we had over them; and that we were co-ordinate nations with Great Britain and Hanover."

This point is further illustrated in the Bill of Attainder, before mentioned as having been commenced in the British Parliament. After reciting a list of proscriptions, among which were Hancock and the Adamses, as notorious leaders of the opposition in Massachusetts, Patrick Henry, as the same in Virginia, Peyton Randolph, as President of the General Congress in Philadelphia, the Bill adds, 'and Thomas Jefferson, as author of a proposition to the Convention of Virginia, for an address to the King, in which was maintained, *that there was in right, no link of union between England and the Colonies, but that of the same King; and that neither the Parliament, nor any other functionary of that government, had any more right to exercise authority over the Colonies, than over the Electorate of Hanover*; yet expressing, in conclusion,

an *acquiescence* in reasonable restrictions of commerce, for the benefit of Great Britain, a conviction of the mutual advantages of union, and a disavowal of the wish for separation.*

It appears, therefore, that the correct definition and answer of the great question, which formed the hinge of the American Revolution, to wit, of the right of taxation without representation, were original with Mr. Jefferson. He, following out the right of expatriation into all its legitimate consequences, advanced at once, to the necessary conclusion, and the only one which he deemed orthodox or tenable—that there was no political connection whatever, between the Parliament of Great Britain and the Colonies; and, consequently, that it had no right to tax them in *any* case—not even for the regulation of commerce. The other patriots, either not admitting the right of expatriation, or, which is most likely, not having pursued, to the same extent, its necessary results, conceded the authority of Parliament over the Colonies, for the purposes of commercial regulation, though not of raising revenue. But this was going no farther than Burke, Chatham, Wilkes, Fox, and the opposition members generally, of the House of Commons, went; and it is not improbable, that had the question been restrained to that issue, it would have terminated in mutual reconciliation, upon that basis. But the question was not so restrained, and quite a different conclusion resulted. It is no small evidence of originality, that one of the youngest of the American counsellors, and a youth compared to most of them, should have been the first to have planted himself upon the utmost verge of colonial right, short of absolute independence.

But there were other principles advanced in this bold political Essay, which were deemed equally novel and extraordinary, by the sages of the Virginia Convention; and an adequate view of the singular progress of the author's mind, at this period, cannot be given, without presenting it entire to the reader. The richness and energy of the composition, generally, and the fervid eloquence of particular passages, would alone compensate for its great length. It will be perceived, that, for the first time, the word 'States' is substituted for 'Colonies,' by the author. This will not be thought a small circumstance, when it is known, that in the debates upon the

* Girardin's History of Virginia, Appendix, No. 12, note.

Declaration of Independence even, the word 'States' was made a subject of repeated cavil, and in several instances, actually expunged.

"Resolved, That it be an instruction to the said Deputies, when assembled in General Congress, with the Deputies from the other States of British America, to propose to the said Congress that an humble and dutiful address be presented to His Majesty, begging leave to lay before him, as Chief Magistrate of the British empire, the united complaints of His Majesty's subjects in America; complaints which are excited by many unwarrantable encroachments and usurpations, attempted to be made by the Legislature of one part of the empire, upon the rights which God and the laws, have given equally and independently to all. To represent to His Majesty that these, his States, have often individually made humble application to his Imperial throne, to obtain, through its intervention, some redress of their injured rights; to none of which was ever even an answer condescended. Humbly to hope that this, their joint address, penned in the language of truth, and divested of those expressions of servility which would persuade His Majesty that we are asking favors, and not rights, shall obtain from His Majesty a more respectful acceptance; and this His Majesty will think we have reason to expect, when he reflects that he is no more than the chief officer of the people, appointed by the laws, and circumscribed with definite powers, to assist in working the great machine of government, erected for their use, and, consequently, subject to their superintendence; and in order that these, our rights, as well as the invasions of them, may be laid more fully before His Majesty, to take a view of them from the origin and first settlement of these countries.

"To remind him that our ancestors, before their emigration to America, were the free inhabitants of the British dominions in Europe, and possessed a right, which nature has given to all men, of departing from the country in which chance, not choice, has placed them, of going in quest of new habitations, and of there establishing new societies, under such laws and regulations, as to them shall seem most likely to promote public happiness. That their Saxon ancestors had, under this universal law, in like manner left their native wilds and woods in the North of Europe, had possessed themselves of the island of Britain, then less charged with inhabitants, and had established there that system of laws which has so long been the glory and protection of that country. Nor was ever any claim of superiority or dependence asserted over them, by that mother country from which they had migrated: and were such a claim made, it is believed His Majesty's subjects in Great Britain have too firm a feeling of the rights derived to them from their ancestors, to bow down the sovereignty of their State before such

visionary pretensions. And it is thought that no circumstance has occurred to distinguish, materially, the British from the Saxon emigration. America was conquered, and her settlements made and firmly established, at the expense of individuals, and not of the British public. Their own blood was spilt in acquiring lands for their settlement, their own fortunes expended in making that settlement effectual. For themselves they fought, for themselves they conquered, and for themselves alone they have right to hold. No shilling was ever issued from the public treasures of His Majesty, or his ancestors, for their assistance, till of very late times, after the Colonies had become established on a firm and permanent footing. That then, indeed, having become valuable to Great Britain for her commercial purposes, his Parliament was pleased to lend them assistance, against an enemy who would fain have drawn to herself the benefits of their commerce, to the great aggrandizement of herself, and danger of Great Britain. Such assistance, and in such circumstances, they had often before given to Portugal and other allied States, with whom they carry on a commercial intercourse. Yet these States never supposed, that by calling in her aid, they thereby submitted themselves to her sovereignty. Had such terms been proposed, they would have rejected them with disdain, and trusted for better to the moderation of their enemies, or to a vigorous exertion of their own force. We do not, however, mean to underrate those aids, which, to us, were doubtless valuable, on whatever principles granted: but we would show that they cannot give a title to that authority which the British Parliament would arrogate over us; and that they may amply be repaid, by our giving to the inhabitants of Great Britain such exclusive privileges in trade as may be advantageous to them, and, at the same time, not too restrictive to ourselves. That settlement having been thus effected in the wilds of America, the emigrants thought proper to adopt that system of laws, under which they had hitherto lived in the mother country, and to continue their union with her, by submitting themselves to the same common sovereign, who was thereby made the central link, connecting the several parts of the empire thus newly multiplied.

“But that not long were they permitted, however far they thought themselves removed from the hand of oppression, to hold undisturbed, the rights thus acquired at the hazard of their lives and loss of their fortunes. A family of Princes was then on the British throne, whose treasonable crimes against their people brought on them, afterwards, the exertion of those sacred and sovereign rights of punishment, reserved in the hands of the people for cases of extreme necessity, and judged by the constitution unsafe to be delegated to any other judicature. While every day brought forth some new and unjustifiable exertion of power over their subjects on that side the water, it was not to be expected that those here, much

less able at that time to oppose the designs of despotism, should be exempted from injury. Accordingly, this country, which had been acquired by the lives, the labors, and fortunes of individual adventurers, was by these Princes, at several times, parted out and distributed among the favorites and followers of their fortunes; and, by an assumed right of the crown alone, were erected into distinct and independent governments; a measure, which, it is believed, His Majesty's prudence and understanding would prevent him from imitating at this day; as no exercise of such power, of dividing and dismembering a country, has ever occurred in his Majesty's realm of England, though now of very ancient standing; nor could it be justified or acquiesced under there, or in any other part of His Majesty's empire.

"That the exercise of a free trade with all parts of the world, possessed by the American colonists, as of natural right, and which no law of their own had taken away or abridged, was next the object of unjust encroachment. Some of the Colonies having thought proper to continue the administration of their government in the name and under the authority of His Majesty, King Charles the First, whom, notwithstanding his late deposition by the Commonwealth of England, they continued in the sovereignty of their State, the Parliament, for the Commonwealth, took the same in high offence and assumed upon themselves the power of prohibiting their trade with all other parts of the world, except the island of Great Britain. This arbitrary act, however, they soon recalled, and by solemn treaty entered into on the 12th day of March, 1651, between the said Commonwealth by their Commissioners, and the Colony of Virginia by their House of Burgesses, it was expressly stipulated by the eighth article of the said treaty, that they should have 'free trade as the people of England do enjoy to all places and with all nations, according to the laws of that Commonwealth.' But that, upon the restoration of His Majesty, King Charles the Second, their rights of free commerce fell once more a victim to arbitrary power: and by several acts of his reign, as well as of some of his successors, the trade of the Colonies was laid under such restrictions, as show what hopes they might form from the justice of a British Parliament, were its uncontrolled power admitted over these States.* History has informed us, that bodies of men, as well as individuals, are susceptible of the spirit of tyranny. A view of these acts of Parliament for regulation, as it has been affectedly called, of the American trade, if all other evidences were removed out of the case, would undeniably evince the truth of this observation. Besides the duties they impose on our articles of export and import, they prohibit our going to any markets northward

* 12. C. 2. c. 18. 15. C. 2. c. 11. 25. C. 2. c. 7. 7. 8. W. M. c. 22. 11. W. 34. Anne, 6. C. 2. c. 13.

of Cape Finisterra, in the kingdom of Spain, for the sale of commodities which Great Britain will not take from us, and for the purchase of others, with which she cannot supply us ; and that, for no other than the arbitrary purpose of purchasing for themselves, by a sacrifice of our rights and interests, certain privileges in their commerce with an allied State, who, in confidence, that their exclusive trade with America will be continued, while the principles and power of the British Parliament be the same, have indulged themselves in every exorbitance which their avarice could dictate, or our necessities extort ; have raised their commodities called for in America, to the double and treble of what they were sold for, before such exclusive privileges were given them, and of what better commodities of the same kind would cost us elsewhere ; and, at the same time, give us much less for what we carry thither, than might be had at more convenient ports. That these acts prohibit us from carrying, in quest of other purchasers, the surplus of our tobaccos, remaining after the consumption of Great Britain is supplied : so that we must leave them with the British merchant, for whatever he will please to allow us, to be by him re-shipped to foreign markets, where he will reap the benefits of making sale of them for full value. That, to heighten still the idea of Parliamentary justice, and to show with what moderation they are like to exercise power, where themselves are to feel no part of its weight, we take leave to mention to His Majesty certain other acts of the British Parliament, by which they would prohibit us from manufacturing, for our own use, the articles we raise on our own lands, with our own labor. By an act passed in the fifth year of the reign of his late Majesty, King George the Second, an American subject is forbidden to make a hat for himself, of the fur which he has taken, perhaps on his own soil : an instance of despotism, to which no parallel can be produced in the most arbitrary ages of British history. By one other act, passed in the twenty-third year of the same reign, the iron which we make, we are forbidden to manufacture ; and, heavy as that article is, and necessary in every branch of husbandry, besides commission and insurance, we are to pay freight for it to Great Britain, and freight for it back again, for the purpose of supporting, not men, but machines in the island of Great Britain. In the same spirit of equal and impartial legislation, is to be viewed the act of Parliament, passed in the fifth year of the same reign, by which American lands are made subject to the demands of British creditors, while their own lands were still continued unanswerable for their debts ; from which, one of these conclusions must necessarily follow, either that justice is not the same thing in America as in Britain, or else that the British Parliament pay less regard to it here than there. But, that we do not point out to His Majesty the injustice of these acts, with intent to rest on that principle the cause of their nullity ; but

to show that experience confirms the propriety of those political principles, which exempt us from the jurisdiction of the British Parliament. The true ground on which we declare these acts void, is, that the British Parliament has no right to exercise authority over us.

“That these exercises of usurped power have not been confined to instances alone, in which themselves were interested : but they have also intermeddled with the regulation of the internal affairs of the Colonies. The act of the 9th of Anne, for establishing a post-office in America, seems to have had little connection with British convenience, except that of accommodating His Majesty’s ministers and favorites with the sale of a lucrative and easy office.

“That thus we have hastened through the reigns which preceded His Majesty’s, during which the violations of our rights were less alarming, because repeated at more distant intervals, than that rapid and bold succession of injuries, which is likely to distinguish the present from all other periods of American story. Scarcely have our minds been able to emerge from the astonishment, into which one stroke of Parliamentary thunder has involved us, before another more heavy and more alarming is fallen on us. Single acts of tyranny may be ascribed to the accidental opinion of a day ; but a series of oppressions, begun at a distinguished period, and pursued unalterably through every change of ministers, too plainly prove a deliberate, systematical plan of reducing us to slavery.

“That the act passed in the fourth year of His Majesty’s reign, entitled ‘an act [Act for granting certain duties.]’

“One other act passed in the fifth year of his reign, entitled ‘an act [Stamp Act.]’

“One other act passed in the sixth year of his reign, entitled ‘an act [Act declaring the right of Parliament over the Colonies.]’

“And one other act passed in the seventh year of his reign, entitled ‘an act [Act for granting duties on paper, tea, &c.]’

“Form that connected chain of parliamentary usurpations, which has already been the subject of frequent applications to His Majesty, and the Houses of the Lords and Commons of Great Britain ; and no answers having yet been condescended to any of these, we shall not trouble His Majesty with a repetition of the matters they contained.

“But that one other act passed in the same seventh year of his reign, having been a peculiar attempt, must ever require peculiar mention. It is entitled ‘an act [Act suspending Legislature of New York.]’

“One free and independent Legislature hereby takes upon itself to suspend the powers of another, free and independent as itself. Thus exhibiting a phenomenon unknown in nature, the creator and creature of its own power. Not only the principles of com-

mon sense, but the common feelings of human nature must be surrendered up, before His Majesty's subjects here can be persuaded to believe, that they hold their political existence at the will of a British Parliament. Shall these governments be dissolved, their property annihilated, and their people reduced to a state of nature, at the imperious breath of a body of men whom they never saw, in whom they never confided, and over whom they have no powers of punishment or removal, let their crimes against the American public be ever so great? Can any one reason be assigned, why one hundred and sixty thousand electors in the island of Great Britain should give law to four millions in the States of America, every individual of whom is equal to every individual of them in virtue, in understanding, and in bodily strength? Were this to be admitted, instead of being a free people, as we have hitherto supposed, and mean to continue ourselves, we should suddenly be found the slaves, not of one, but of one hundred and sixty thousand tyrants; distinguished, too, from all others, by this singular circumstance, that they are removed from the reach of fear, the only restraining motive which may hold the hand of a tyrant.

"That, by 'an act to discontinue in such manner, and for such time as are therein mentioned, the landing and discharging, lading or shipping of goods, wares, and merchandise, at the town and within the harbor of Boston, in the province of Massachusetts Bay, in North America,'* which was passed at the last session of the British Parliament, a large and populous town, whose trade was their sole subsistence, was deprived of that trade, and involved in utter ruin. Let us for a while, suppose the question of right suspended, in order to examine this act on principles of justice. An act of Parliament had been passed, imposing duties on teas, to be paid in America, against which act the Americans had protested, as inauthoritative. The East India Company, who till that time had never sent a pound of tea to America on their own account, step forth on that occasion, the asserters of parliamentary right, and send hither many ship loads of that obnoxious commodity. The masters of their several vessels, however, on their arrival in America, wisely attended to admonition, and returned with their cargoes. In the province of New England alone, the remonstrances of the people were disregarded, and a compliance, after being many days waited for, was flatly refused. Whether in this, the master of the vessel was governed by his obstinacy, or his instructions, let those who know, say. There are extraordinary situations, which require extraordinary interposition. An exasperated people, who feel that they possess power, are not easily restrained within limits strictly regular. A number of them assembled

in the town of Boston, threw the tea into the ocean, and dispersed without doing any other act of violence. If in this they did wrong, they were known, and were amenable to the laws of the land ; against which, it could not be objected that they had ever, in any instance, been obstructed or diverted from their regular course, in favor of popular offenders. They should, therefore, not have been distrusted on this occasion. But that ill-fated Colony had formerly been bold in their enmities against the House of Stuart, and were now devoted to ruin, by that unseen hand which governs the momentous affairs of this great empire. On the partial representations of a few worthless ministerial dependants, whose constant office it has been to keep that government embroiled ; and who, by their treacheries, hope to obtain the dignity of British knighthood, without calling for a party accused, without asking a proof, without attempting a distinction between the guilty and the innocent, the whole of that ancient and wealthy town, is in a moment reduced from opulence to beggary. Men who had spent their lives in extending the British commerce, who had invested in that place, the wealth their honest endeavors had merited, found themselves and their families, thrown at once on the world, for subsistence by its charities. Not the hundredth part of the inhabitants of that town had been concerned in the act complained of ; many of them were in Great Britain, and in other parts beyond sea ; yet all were involved in one indiscriminate ruin, by a new executive power, unheard of till then, that of a British Parliament. A property of the value of many millions of money was sacrificed, to revenge, not to repay, the loss of a few thousands. This is administering justice with a heavy hand indeed ! And when is this tempest to be arrested in its course ? Two wharves are to be opened again when His Majesty shall think proper ; the residue which lined the extensive shores of the bay of Boston, are for ever interdicted the exercise of commerce. This little exception seems to have been thrown in for no other purpose, than that of setting a precedent for investing His Majesty with legislative powers. If the pulse of his people shall beat calmly under this experiment, another and another will be tried, till the measure of despotism be filled up. It would be an insult on common sense, to pretend that this exception was made in order to restore its commerce to that great town. The trade which cannot be received at two wharves alone, must of necessity be transferred to some other place ; to which it will soon be followed by that of the two wharves. Considered in this light it would be an insolent and cruel mockery at the annihilation of the town of Boston. By the act for the suppression of riots and tumults in the town of Boston,* passed also in the last ses-

sion of Parliament, a murder committed there, is, if the Governor pleases, to be tried in the court of King's Bench, in the island of Great Britain, by a jury of Middlesex. The witnesses, too, on receipt of such a sum as the Governor shall think it reasonable for them to expend, are to enter into cognizance to appear at the trial. This is, in other words, taxing them to the amount of their recognizance; and that amount may be whatever a Governor pleases. For who does His Majesty think can be prevailed on to cross the Atlantic, for the sole purpose of bearing evidence to a fact? His expenses are to be borne, indeed, as they shall be estimated by a Governor; but who are to feed the wife and children whom he leaves behind, and who have had no other subsistence but his daily labor? Those epidemical disorders, too, so terrible in a foreign climate, is the cure of them to be estimated among the articles of expense, and their danger to be warded off by the almighty power of a Parliament? And the wretched criminal, if he happen to have offended on the American side, stripped of his privilege of trial by peers of his vicinage, removed from the place where alone full evidence could be obtained, without money, without counsel, without friends, without exculpatory proof, is tried before Judges predetermined to condemn. The cowards who would suffer a countryman to be torn from the bowels of their society, in order to be thus offered a sacrifice to Parliamentary tyranny, would merit that everlasting infamy now fixed on the authors of the act! A clause, for a similar purpose, had been introduced into an act, passed in the twelfth year of His Majesty's reign, entitled "an act for the better securing and preserving His Majesty's dock-yards, magazines, ships, ammunition, and stores;" against which, as meriting the same censures, the several Colonies have already protested.

"That these are the acts of power, assumed by a body of men foreign to our constitutions, and unacknowledged by our laws: against which we do, on behalf of the inhabitants of British America, enter this our solemn and determined protest. And we do earnestly entreat His Majesty, as yet the only mediatory power between the several States of the British empire, to recommend to his Parliament of Great Britain, the total revocation of these acts, which, however nugatory they be, may yet prove the cause of further discontents and jealousies among us.

"That we next proceed to consider the conduct of His Majesty, as holding the Executive powers of the laws of these States, and mark out his deviations from the line of duty. By the constitution of Great Britain, as well as of the several American States, His Majesty possesses the power of refusing to pass into a law, any bill which has already passed the other two branches of the Legislature. His Majesty, however, and his ancestors, conscious of the impropriety of opposing their single opinion to the united wisdom of two Houses of Parliament, while their proceedings were unbiassed by

interested principles, for several ages past, have modestly declined the exercise of this power, in that part of his empire called Great Britain. But, by change of circumstances, other principles than those of justice simply, have obtained an influence on their determinations. The addition of new States to the British empire, has produced an addition of new, and sometimes, opposite interests. It is now, therefore, the great office of His Majesty, to resume the exercise of his negative power, and to prevent the passage of laws by any one Legislature of the empire, which might bear injuriously on the rights and interests of another. Yet this will not excuse the wanton exercise of this power, which we have seen His Majesty practice on the laws of the American legislatures. For the most trifling reasons, and sometimes for no conceivable reason at all, His Majesty has rejected laws of the most salutary tendency. The abolition of domestic slavery is the great object of desire in those Colonies, where it was, unhappily, introduced in their infant state. But previous to the enfranchisement of the slaves we have, it is necessary to exclude all further importations from Africa. Yet our repeated attempts to effect this, by prohibitions, and by imposing duties which might amount to a prohibition, have been hitherto defeated by His Majesty's negative : thus preferring the immediate advantages of a few British corsairs to the lasting interests of the American States, and to the rights of human nature, deeply wounded by this infamous practice. Nay, the single interposition of an interested individual against a law, was scarcely ever known to fail of success, though in the opposite scale were placed the interests of a whole country. That this is so shameful an abuse of a power, trusted with His Majesty for other purposes, as if, not reformed, would call for some legal restrictions.

“ With equal inattention to the necessities of his people here, has His Majesty permitted our laws to lie neglected in England for years, neither confirming them by his assent, nor annulling them by his negative : so that such of them as have no suspending clause, we hold on the most precarious of all tenures, His Majesty's will : and such of them as suspend themselves till His Majesty's assent be obtained, we have feared might be called into existence at some future and distant period, when time and change of circumstances shall have rendered them destructive to his people here. And, to render this grievance still more oppressive, His Majesty, by his instructions, has laid his Governors under such restrictions, that they can pass no law of any moment, unless it have such suspending clause ; so that, however immediate may be the call for legislative interposition, the law cannot be executed till it has twice crossed the Atlantic, by which time the evil may have spent its whole force.

“ But in what terms reconcilable to Majesty, and at the same time to truth, shall we speak of a late instruction to His Majesty's Governor of the Colony of Virginia, by which he is forbidden to

assent to any law for the division of a county, unless the new county will consent to have no representative in Assembly? That Colony has as yet affixed no boundary to the westward. Their western counties, therefore, are of indefinite extent. Some of them are actually seated many hundred miles from their Eastern limits. Is it possible, then, that His Majesty can have bestowed a single thought on the situation of those people, who, in order to obtain justice for injuries, however great or small, must, by the laws of that Colony, attend their county court at such a distance, with all their witnesses, monthly, till their litigation be determined? Or does His Majesty seriously wish, and publish it to the world, that his subjects should give up the glorious right of representation, with all the benefits derived from that, and submit themselves to be absolute slaves of his sovereign will? Or is it rather meant to confine the legislative body to their present numbers, that they may be the cheaper bargain, whenever they shall become worth a purchase.

“ One of the articles of impeachment against Tresilian and the other Judges of Westminster Hall, in the reign of Richard the Second, for which they suffered death, as traitors to their country, was, that they had advised the King that he might dissolve his Parliament at any time: and succeeding Kings have adopted the opinion of these unjust Judges. Since the establishment, however, of the British constitution, at the glorious Revolution, on its free and ancient principles, neither His Majesty nor his ancestors have exercised such a power of dissolution in the island of Great Britain;* and, when His Majesty was petitioned by the united voice of his people there to dissolve the present Parliament, who had become obnoxious to them, his Ministers were heard to declare, in open Parliament, that His Majesty possessed no such power by the constitution. But how different their language, and his practice, here! To declare, as their duty required, the known rights of their country, to oppose the usurpation of every foreign judicature, to disregard the imperious mandates of a Minister or Governor, have been the avowed causes of dissolving Houses of Representatives in America. But if such powers be really vested in His Majesty, can he suppose they are there placed to awe the members from such purposes as these? When the representative body have lost the confidence of their constituents, when they have notoriously made sale of their most valuable rights, when they have assumed to themselves powers which the people never put into their hands,

* On further inquiry, I find two instances of dissolutions before the Parliament would, of itself, have been at an end: viz. the Parliament called to meet August 24, 1693, was dissolved by King William, December 19, 1700, and a new one called, to meet February 6, 1701, which was also dissolved November 11, 1701, and a new one met December 30, 1701.

then, indeed, their continuing in office becomes dangerous to the State, and calls for an exercise of the power of dissolution. Such being the causes for which the representative body should, and should not, be dissolved, will it not appear strange, to an unbiassed observer, that that of Great Britain was not dissolved, while those of the Colonies have repeatedly incurred that sentence?

“But your Majesty or your Governors have carried this power beyond every limit known or provided for by the laws. After dissolving one House of Representatives, they have refused to call another, so that, for a great length of time, the Legislature provided by the laws has been out of existence. From the nature of things, every society must at all times possess within itself the sovereign power of legislation. The feelings of human nature revolt against the supposition of a State so situated, as that it may not, in any emergency, provide against dangers which perhaps threaten immediate ruin. While those bodies are in existence to whom the people have delegated the powers of legislation, they alone possess, and may exercise, those powers. But when they are dissolved, by the lopping off one or more of their branches, the power reverts to the people, who may use it to unlimited extent, either assembling together in person, sending deputies, or in any other way they may think proper. We forbear to trace consequences further; the dangers are conspicuous with which this practice is replete.

“That we shall, at this time also, take notice of an error in the nature of our land-holdings, which crept in at a very early period of our settlement. The introduction of the feudal tenures into the kingdom of England, though ancient, is well enough understood to set this matter in a proper light. In the earlier ages of the Saxon settlement, feudal holdings were certainly altogether unknown, and very few, if any, had been introduced at the time of the Norman conquest. Our Saxon ancestors held their lands, as they did their personal property, in absolute dominion, disencumbered with any superior, answering nearly to the nature of those possessions which the Feudalists term Allodial. William the Norman first introduced that system generally. The lands which had belonged to those who fell in the battle of Hastings, and in the subsequent insurrections of his reign, formed a considerable proportion of the lands of the whole kingdom. These he granted out, subject to feudal duties, as did he also those of a great number of his new subjects, who, by persuasions or threats, were induced to surrender them for that purpose. But still much was left in the hands of his Saxon subjects, held of no superior, and not subject to feudal conditions. These, therefore, by express laws, enacted to render uniform the system of military defence, were made liable to the same military duties as if they had been feuds: and the Norman lawyers soon found means to saddle them, also, with all the other feudal burthens. But still they had not been surrendered to the King, they were not

derived from his grant, and therefore they were not holden of him. A general principle, indeed, was introduced, that 'all lands in England were held either mediately or immediately of the Crown;' but this was borrowed from those holdings which were truly feudal, and only applied to others for the purposes of illustration. Feudal holdings were, therefore, but exceptions out of the Saxon laws of possession, under which all lands were held in absolute right. These, therefore, still form the basis or groundwork of the common law, to prevail wheresoever the exceptions have not taken place. America was not conquered by William the Norman, nor its lands surrendered to him or any of his successors. Possessions there are, undoubtedly, of the Allodial nature. Our ancestors, however, who migrated hither, were laborers, not lawyers. The fictitious principle, that all lands belong originally to the King, they were early persuaded to believe real, and accordingly took grants of their own lands from the Crown. And while the Crown continued to grant for small sums and on reasonable rents, there was no inducement to arrest the error, and lay it open to public view. But His Majesty has lately taken on him to advance the terms of purchase and of holding to the double of what they were; by which means the acquisition of lands being rendered difficult, the population of our country is likely to be checked. It is time, therefore, for us to lay this matter before His Majesty, and to declare that he has no right to grant lands of himself. From the nature and purpose of civil institutions, all the lands within the limits which any particular society has circumscribed around itself, are assumed by that society, and subject to their allotment; this may be done by themselves assembled collectively, or by their Legislature, to whom they may have delegated sovereign authority: and, if they are allotted in neither of these ways, each individual of the society may appropriate to himself such lands as he finds vacant, and occupancy will give him title.

That, in order to enforce the arbitrary measures before complained of, His Majesty has, from time to time, sent among us large bodies of armed forces, not made up of the people here, nor raised by the authority of our laws. Did His Majesty possess such a right as this, it might swallow up all our other rights whenever he should think proper. But His Majesty has no right to land a single armed man on our shores; and those whom he sends here are liable to our laws for the suppression and punishment of riots, routs, and unlawful assemblies, or are hostile bodies invading us in defiance of law. When, in the course of the late war, it became expedient that a body of Hanoverian troops should be brought over for the defence of Great Britain, His Majesty's grandfather, our late sovereign, did not pretend to introduce them under any authority he possessed. Such a measure would have given just alarm to his subjects of Great Britain, whose liberties would not be safe if armed men of another country, and of another spirit, might be brought into the realm.

at any time, without the consent of their Legislature. He, therefore, applied to Parliament, who passed an act for that purpose, limiting the number to be brought in, and the time they were to continue. In like manner is His Majesty restrained in every part of the empire. He possesses indeed the executive power of the laws in every State; but they are the laws of the particular State, which he is to administer within that State, and not those of any one within the limits of another. Every State must judge for itself, the number of armed men which they may safely trust among them, of whom they are to consist, and under what restrictions they are to be laid. To render these proceedings still more criminal against our laws, instead of subjecting the military to the civil power, His Majesty has expressly made the civil subordinate to the military. But can His Majesty thus put down all law under his feet? Can he erect a power superior to that which erected himself? He has done it indeed by force; but let him remember that force cannot give right.

“That these are our grievances, which we have thus laid before His Majesty, with that freedom of language and sentiment which becomes a free people, claiming their rights as derived from the laws of nature, and not as the gift of their Chief Magistrate. Let those flatter, who fear: it is not an American art. To give praise where it is not due, might be well from the venal, but would ill beseeem those who are asserting the rights of human nature. They know, and will, therefore, say, that Kings are the servants, not the proprietors of the people. Open your breast, Sire, to liberal and expanded thought. Let not the name of George the Third be a blot on the page of history. You are surrounded by British counsellors, but remember that they are parties. You have no ministers for American affairs, because you have none taken from among us, nor amenable to the laws on which they are to give you advice. It behoves you, therefore, to think and to act for yourself and your people. The great principles of right and wrong are legible to every reader: to pursue them, requires not the aid of many counsellors. The whole art of government consists in the art of being honest. Only aim to do your duty, and mankind will give you credit where you fail. No longer persevere in sacrificing the rights of one part of the empire, to the inordinate desires of another: but deal out to all equal and impartial right. Let no act be passed by any one Legislature, which may infringe on the rights and liberties of another. This is the important post in which fortune has placed you, holding the balance of a great, if a well poised empire. This, Sire, is the advice of your great American council, on the observance of which may, perhaps, depend your felicity and future fame, and the preservation of that harmony which alone can continue, both to Great Britain and America, the reciprocal advantages of their connexion. It is neither our wish nor our interest to separate from her. We are willing, on our part, to sacrifice every thing which reason can ask, to the restoration of

that tranquillity for which all must wish. On their part, let them be ready to establish union on a generous plan. Let them name their terms, but let them be just. Accept of every commercial preference it is in our power to give, for such things as we can raise for their use, or they make for ours. But let them not think to exclude us from going to other markets, to dispose of those commodities which they cannot use, nor to supply those wants which they cannot supply. Still less, let it be proposed, that our properties, within our own territories, shall be taxed or regulated by any power on earth, but our own. The God who gave us life, gave us liberty at the same time: the hand of force may destroy, but cannot disjoin them. This, Sire, is our last, our determined resolution. And that you will be pleased to interpose, with that efficacy which your earnest endeavors may insure, to procure redress of these our great grievances, to quiet the minds of your subjects in British America against any apprehensions of future encroachment, to establish fraternal love and harmony through the whole empire, and that that may continue to the latest ages of time, is the fervent prayer of all British America."

Upon a critical examination of this valuable paper, it will be perceived, that the author had already attained to those sublime and fundamental discoveries in Political Science, which have since, through the united instrumentality of himself and his disciples, received such an astonishing exemplification before the world. It is a more learned and elementary production, than the Declaration of Independence; to which it is not inferior as a literary performance; but in power and sublimity of conception, greatly overshadowed, as is every other monument of human genius, by the 'Declaratory Charter of our rights and of the rights of man.'

The author begins with the vindication of the first principle of all political truth, *the sovereignty of the people*, as a right which they derive from God, and not from His Majesty; who, he boldly affirms, 'is no more than the chief officer of the people, appointed by the laws, and circumscribed with definite powers, to assist in working the great machine of government, erected for *their* use, and consequently subject to *their* superintendence.' He next proceeds to vindicate the right of *expatriation*, showing that the barbarian nations in the North of Europe, from whom the inhabitants of Great Britain descended, would have as good right to usurp jurisdiction over them, as they have over us; and from this right, the basis of every other, he deduces the broad principle, that the American 'States' were co-ordinate nations with Great Britain herself,

having a common Executive head, but no other link of political union. The doctors of nullification would here find a triumphant justification of their theory, should it be made to appear, that the States possess the same relation to the federal, that they then did to the mother, government ! He repudiates, with becoming satire, the fictitious principle of the common law, that all lands belong mediately or immediately to the Crown ; and says, ‘it is high time to declare, that His Majesty has no right to grant lands of himself.’ Finally, he tells His Majesty to ‘open his breast to liberal and expanded thought ; that the great principles of right and wrong are legible to every reader ;’ and that ‘*the whole art of government consists in the art of being honest.*’

As has already been observed, the Convention at Williamsburg were not prepared to sanction, by their deliberate adoption, the principles contained in these ‘instructions.’ Tamer sentiments* were substituted ; the congressional delegates† appointed, to the number of seven ; and resolutions adopted, in which they pledged themselves to make common cause with the people of Boston, in every extremity—broke off all commercial connexion with the mother country, until the grievances of which they complained, should be redressed—and empowered their chairman, Peyton Randolph, or in case of his death, Robert C. Nicholas, on any future occasion, that might in his opinion require it, to reconvene the several delegates of the Colony, at such time and place as he might judge proper. This last resolve was more important than all the others, as it showed their determination to continue the government in their own hands, to the exclusion of the parent authorities, and was a virtual assumption of independence, in Virginia.

The General Congress assembled at Carpenter’s Hall, in Philadelphia, September 5th, ’74 ; and organized for business, by choosing Peyton Randolph of Virginia, President, and Charles Thompson of Pennsylvania, Secretary. Delegates attended from every Province, except Georgia, and were in number fifty-five. The splendid proceedings of that venerated body, belong to general history, and do not require any reference in this volume, until Mr.

*See Appendix, Note A.

† The delegates to the first Congress, on the part of Virginia, were Peyton Randolph, Richard H. Lee, George Washington, Patrick Henry, Richard Bland, Benjamin Harrison, and Edmund Pendleton.

Jefferson became a member. They terminated their first session on the 26th of October, to meet again at the same place, on the 10th of May ensuing, at which time Mr. Jefferson became a Deputy elect.

On the 20th of March, 1775, the popular Convention of Virginia assembled, for the second time, upon invitation of the Chairman, to deliberate further on the condition of public affairs, and the measures which it demanded. Mr. Jefferson continued to be a member ; and the reader will be prepared to expect a corresponding continuance of bold results. We have already seen him the author of opinions, which, should they become so far americanized as to affect the controversy, could not but transfer the decision to the bloody tribunal of nations. To a political union with Great Britain, upon the broad basis of reason and right, he was not averse ; nay, he most anxiously and fervently desired it, to avoid the horrors and desolations which the other alternative presented. "*But, by the God that made me,*" said he, a short time subsequent, "*I will cease to exist, before I yield to a connexion on such terms as the British Parliament propose.*" The distance between the terms upon which he would consent to a union, and the terms which Great Britain had challenged, and manifested a disposition to extort, was too great to admit any reasonable hope of accommodation. The only grounds upon which he would submit to a compromise, were, freedom from all jurisdiction of the British Parliament, and the exclusive regulation, by the Colonies, of their own internal affairs,—freedom from all restraints upon navigation, with respect to other nations,—freedom from all necessary accountability to the common law,—and, in a word, freedom from all the laws, institutions and customs of the mother country, until they should have been specifically adopted as *our* laws, institutions and customs, by the positive or implied assent of the people. But would Great Britain consent to an abandonment of all her pretensions, and accept the proffered bagatelle ? The idea was preposterous. So far from it, there was little probability she would yield to the far more gracious proposals of Congress. Mr. Jefferson saw, with prophetic certainty, the inevitable result ; and he yearned to have the same clear, strong, yet terrible perspective burst upon the tardy apprehensions of his countrymen. With that wonderful precision with which he always penetrated the future, and predicted its developments, he had

long anticipated the awful crisis, to which the current of events was fast settling; and we have now arrived close upon the epoch, when his mind was made up to meet that crisis, with all the firmness which the nature of it demanded. "*My creed*," says he, "*had been formed on unsheathing the sword at Lexington.*" This event, it will be recollected, occurred the ensuing month. Time will soon disclose, with what fidelity our political apostle put his 'creed' into practice.

The Convention proceeded to business. They adopted a resolution expressive of their unqualified approbation of the measures of Congress; declaring, that they considered 'this whole continent as under the highest obligations to that respectable body, for the wisdom of their counsels, and their unremitted endeavours to maintain and preserve inviolate, the just rights and liberties of His Majesty's dutiful and loyal subjects in America.' They next resolved, that 'the warmest thanks of the Convention, and of all the inhabitants of this Colony, were due, and that this just tribute of applause be presented to the worthy delegates deputed by a former Convention, to represent this Colony in general Congress, for their cheerful undertaking and faithful discharge of the very important trust reposed in them.'

It would be doing injustice to Mr. Jefferson, to suppose the above resolutions came from him. They have none of the holy phrenzy of his thoughts, or of the uniform polish of his pen. Not that he disapproved them; on the contrary, he regarded their adoption as an act of imperious justice, as well as gratitude. But they probably proceeded from that grave and tranquil side of the House, which now, as heretofore, was content to follow; and whose sentiments, being more in unison with the instructions given to their own Deputies, were more conformable, also, to the attitude assumed by Congress. For be it understood, there was the same strong inequality of sentiment in this, as in all former meetings; nor was it long in displaying itself, even fearfully. Soon there arose a tall and muscular leader from the other side of the House, who responded, in a note of thunder, to the preceding resolutions, as follows:

Resolved, That this Colony be immediately put into a state of defence, and that be a committee to prepare a plan for embodying, arming, and disciplining, such a number of men, as may be sufficient for that purpose."

The effect of this proposition was like a bolt from heaven, upon the veteran and placid body of the Convention. A deep and painful sensation ensued, portending a desperate resistance to the measure. Long and vehement was the contest that succeeded. The resolution was opposed by all the old and considerate members, including some of the warmest patriots of the Convention, Pendleton, Harrison, Bland, Nicholas, and even the sanguine and republican Wythe. Alluding to these gentlemen, and their backwardness upon this occasion, Mr. Jefferson writes to a friend, in 1815 :

“ These were honest and able men, who had begun the opposition on the same grounds, but with a moderation more adapted to their age and experience. Subsequent events favored the bolder spirits of Henry, the Lees, Pages, Mason, &c. with whom I went in all points. Sensible, however, of the importance of unanimity among our constituents, although we often wished to have gone on faster, we slackened our pace, that our less ardent colleagues might keep up with us ; and they, on their part, differing nothing from us in principle, quickened their gait somewhat beyond that, which their prudence might, of itself, have advised, and thus consolidated the phalanx, which breasted the power of Britain. By this harmony of the bold with the cautious, we advanced, with our constituents, in undivided mass, and with fewer examples of separation, than perhaps existed in any other part of the union.”

It is a sublime contemplation to dwell upon the example thus recorded by Mr. Jefferson, of that indissoluble fraternization in the cause of liberty, which prevailed among our forefathers ; humbling the pride of experience, chastening the enthusiasm of youth, and graduating all minds to the same height of resolution and action. In the chaste and cohesive patriotism of that day, no mixture of personal ambition ever entered, to corrupt or divide the mass. These gentlemen were all characters of weight in the Colony : so much so, that in all proceedings of a popular bearing, it was essential to conciliate their interest. Their opposition, therefore, at this stage of their advances, was a source of real anguish to the more ardent chiefs of the reform party. Their repugnance, too, to the military proposition, was as unfeigned, as it was firm. They had never dreamed of carrying their resistance into more serious forms, than those of petition, remonstrance, and passive non-intercourse. Their expectations were yet warm and unclouded, of a final reconciliation with the parent government ; and they shrunk, with

unaffected horror, from any attitude, which might endanger that result. Their minds had not yet expanded beyond the restraints of education and deep-rooted prejudice ; and they clung, with filial attachment, to the institutions and form of government, of the mother country. Most of them, moreover, were zealous Churchmen, ardently attached to the established religion of Great Britain ; and dreaded an avulsion from her, on that account, as from the anchor of their salvation. They directed the whole weight of their influence, and exerted all the powers of their eloquence, to defeat the measure ; but their resistance was overborne by the impetuosity of that torrent, which poured from the lips of the affirmative champions. The resolution was moved by Mr. Henry, and supported by him, by Mr. Jefferson, and the whole of that magnanimous host, which had achieved such miracles in council. They put their united resources into action ; and, by an effort of tremendous power, bore off the palm against the wisdom and pertinacity of the adversary corps. The proposition was carried ; and no sooner was the vote declared, than the opposing members, one and all, filed in with the majority, and lent their names to supply the blank in the resolution. They ‘quicken’d their gait somewhat beyond that which their prudence had, of itself, advised,’ and advanced boldly, to a line with their colleagues. Mr. Jefferson was also appointed on the committee to prepare the plan called for by the resolution. The committee met immediately ; and reported to the same Convention, a plan for embodying, arming, and disciplining the militia, which was likewise adopted. Thus did the Colony of Virginia arise and cover herself with the “impenetrable ægis” of popular governments,—an army of citizen soldiers.

This was a capital revolutionary movement. Besides the local advantages which it secured, it operated as a stimulus to the sister Colonies, and to Congress. But it was even more important as recognizing a fundamental principle. In the preamble to the resolution, which bears the broad stamp of Mr. Jefferson’s sentiments, it is declared, ‘that a well-regulated militia, composed of gentlemen and yeomen, is the natural strength and only security of a free government ; and, that a standing army, of mercenary soldiers is subversive of the quiet, dangerous to the liberties, and burthensome to the properties of the people.’

Having disposed of this trying subject, and transacted some other business of minor importance, the Convention proceeded to the election of Deputies to the ensuing Congress. They re-appointed the same persons ; and, foreseeing the probability that Peyton Randolph would be called off, to attend a meeting of the House of Burgesses, of which he was Speaker, they made choice of Mr. Jefferson to supply the vacancy. To have been appointed, young as he was, a substitute of the President of Congress, was an evidence of the extraordinary estimate which was put upon his abilities. Lastly, having provided for a re-election of Delegates to the next Convention, they came to an adjournment.

We have now reached the precise date, May 1775, at which Mr. Jefferson consummated his creed ; that creed which he so eloquently dictated to Congress, one year after, and they so undauntedly promulgated to the world. ‘The God who gave us life, gave us liberty at the same time,’ was his first tenet ; ‘the hand of force may destroy, but cannot disjoin them,’ was his last, his determined resolution. How beautifully consistent the profession, with the final resolve. The ‘hand of force’ had been upraised ; the sword had been drawn at Lexington, and blood had been spilt. From that moment, all hope, not to say desire, of a peaceable accommodation, perished in his bosom. Strong as had been the ties of consanguinity, which bound him to his British brethren, and none had ever felt or cherished them more fondly, his love of justice, honor, and the rights of humanity, were still stronger. Long had he returned affection for cruelty ; long had he striven, by the holy eloquence of passive fortitude, and the holier eloquence of his untiring prayers, to re-establish fraternal love and harmony. But his ‘repeated petitions had been answered only by repeated injuries,’ until the merciless catalogue had been crimsoned with the blood of his countrymen. This fatal act had ‘given the last stab to agonizing affection, and manly spirit bade him to renounce forever those unfeeling brethren.’ ‘We must endeavor, he then felt, to forget our former love for them, and hold them, as we hold the rest of mankind, enemies in war, in peace friends.’

The following letter, written at this time, exhibits the state of his own, and of the public mind, on the intelligence of the first hostilities. It is the earliest, in date, of his published Correspondence,

and is addressed to his old college friend and preceptor, Dr. William Small, then residing in England.

“ May 7, 1775.

“ Dear Sir,—Within this week we have received the unhappy news of an action of considerable magnitude, between the King's troops and our brethren of Boston, in which, it is said, five hundred of the former, with the Earl of Percy are slain. That such an action has occurred, is undoubted, though perhaps the circumstances may not have reached us with truth. This accident has cut off our last hope of reconciliation, and a phrenzy of revenge seems to have seized all ranks of people. It is a lamentable circumstance, that the only mediatory power, acknowledged by both parties, instead of leading to a reconciliation his divided people, should pursue the incendiary purpose of still blowing up the flames, as we find him constantly doing, in every speech and public declaration. This may, perhaps, be intended to intimidate into acquiescence, but the effect has been most unfortunately otherwise. A little knowledge of human nature, and attention to its ordinary workings, might have foreseen that the spirits of the people here were in a state, in which they were more likely to be provoked, than frightened, by haughty deportment. And to fill up the measure of irritation, a proscription of individuals has been substituted in the room of just trial. Can it be believed, that a grateful people will suffer those to be consigned to execution, whose sole crime has been the developing and asserting their rights? Had the Parliament possessed the power of reflection, they would have avoided a measure as impotent as it was inflammatory. When I saw Lord Chatham's bill, I entertained high hope that a reconciliation could have been brought about. The difference between his terms, and those offered by our Congress, might have been accommodated, if entered on, by both parties, with a disposition to accommodate. But the dignity of Parliament, it seems, can brook no opposition to its power. Strange, that a set of men, who have made sale of their virtue to the minister, should yet talk of retaining dignity! But I am getting into politics, though I sat down only to ask your acceptance of the wine, and express my constant wishes for your happiness.”

According to expectation, the General Assembly of Virginia was summoned by Governor Dunmore, to meet on the 1st day of June, '75; and Peyton Randolph was obliged to leave the chair of Congress, to attend as Speaker to that Assembly. Thus was created the anticipated vacancy in the congressional delegation, which Mr. Jefferson was so happily elected to fill. But he did not take his seat in that memorable body until some weeks after. A

more imperious duty required his attention at home, just at that moment.

Lord Dunmore had paraded the Legislature before him, with a mighty flourish of the graces, intimating that His Majesty, in the plenitude of his royal condescension, had extended the "olive branch" to his discontented subjects in America, and opened the door of reconciliation, upon such terms as demanded their grateful consideration and prompt acceptance. The olive branch of Dunmore proved to be the famous "Conciliatory Proposition" of Lord North; than which, a more insidious overture, or a more awkward attempt at diplomacy, never disgraced the annals of ministerial intrigue. He immediately laid his budget before the Legislature, with an air of great pomp and mystery. Happily, Mr. Jefferson was a member; and he was entreated to delay his departure for Congress, until this exciting subject should have been disposed of. The Speaker, Randolph, knowing that the same proposition had been addressed to the Governors of all the Colonies, and anxious that the answer of the Virginia Assembly, likely to be the first, should harmonize with the sentiments and wishes of the body he had recently left, persuaded Mr. Jefferson to remain at his post. "He feared," says the latter, "that Mr. Nicholas, whose mind was not yet up to the mark of the times, would undertake the answer, and therefore pressed me to prepare it."

The import of this celebrated Proposition was, that should any Colony propose to contribute its proportion towards providing for the common defence, such proportion *to be disposable by Parliament*, and to defray the amount of its own civil list; such Colony, should the proposal *be approved* by the parent government, should be exempted from all parliamentary taxes, except those for the regulation of commerce; the nett proceeds of which should be passed to its *separate* credit. It was perceived, at once, that an official proposition from the British Court, so specious in its terms, and, at the same time, so mischievous in its designs, required a fundamental evisceration and reply. A committee of twelve, therefore, of the strongest members, was raised, to devise the appropriate treatment; and to Mr. Jefferson, who was one of the committee, was assigned with one accord, the exclusive preparation of the instrument. In what manner he executed the important charge confided to him, it would be almost superfluous to repeat. The

admirable address, with which he baffled the diplomacy of the British minister, and unmasked the beauties of his vaunted 'Proposition,' has been the theme of the historian, and the statesman, from that day to the present. The original draught was so strong, that even the Committee were in doubt; and although they consented to report it, they attacked it with severity, in the House. 'But with the aid of Randolph,' says Mr. Jefferson, 'I carried it through; with long and doubtful scruples from Mr. Nicholas and James Mercer, and a dash of cold water on it here and there, enfeebling it somewhat, but finally with unanimity, or a vote approaching it.'

In his answer, the author did not scruple to intimate to the Minister, that his proposition was perfectly understood on this side of the water. That its real object was to produce a division among the Colonies, some of which, it was supposed, would accept it, and forsake the rest; or in failure of that, to afford a pretext to the people of England, for justifying the Government in the adoption of the most coercive measures. He declared, moreover, that having examined it in the most favorable point of view, he was still compelled, with pain and disappointment, to conclude, that it only changed the form of oppression, without lightening its burden; and that therefore, he must meet it by a firm and unqualified rejection of its terms. He said, that the proposal then made to them, involved the interests of all the Colonies, and should have been addressed to them in their collective capacity. They were then represented in a General Congress, composed of Deputies from all the States, whose union, he trusted, had been so strongly cemented, that no partial application could produce the slightest departure from the common cause. They considered themselves as bound in honor, as well as interest, to share one general fate with their sister Colonies: and should hold themselves as base deserters of the Union to which they had acceded, were they to agree to any measures of a separate accommodation. This celebrated paper concludes, it appears, with a religious ejaculation; the want of which, in some of the documents drawn by Mr. Jefferson, has afforded a theme of unjust animadversion upon his views of the Divine superintendence.

"These, my Lord, are our sentiments, on this important subject, which we offer only as an individual part of the whole empire. Final determination we leave to the General Congress, now sitting, before whom we shall lay the papers your lordship has communi-

cated to us. For ourselves, we have exhausted every mode of application, which our invention could suggest, as proper and promising. We have decently remonstrated with Parliament—they have added new injuries to the old; we have wearied our King with supplications—he has not deigned to answer us; we have appealed to the native honor and justice of the British nation—their efforts in our favor have hitherto been ineffectual. What then remains to be done? That we commit our injuries to the even-handed justice of that Being, who doeth no wrong, earnestly beseeching Him to illuminate the councils, and prosper the endeavors of those to whom America hath confided her hopes; that through their wise directions, we may again see re-united the blessings of liberty, prosperity, and harmony with Great Britain.”

It may be considered fortunate, that Virginia took the precedence of the other Colonies, perhaps even of Congress, in replying to this deceptive overture; and no less fortunate, that the business of preparing the answer, devolved on Mr. Jefferson. A less decisive and unequivocal stand, at the outset, would have admitted the entering wedge, and perhaps ended in utter disorganization. It is not among the least of the merits of this performance, that the ‘Union’ is kept in uppermost view throughout, and the word ‘Congress’ sounded in the ears of his lordship, at every step, telling him, that *that* is the door at which he must knock with all his messages of negotiation. Better evidence, however, of the high character of this production, could not be given, than that, on Mr. Jefferson’s repairing to Philadelphia, and conveying the first notice of it to Congress, that enlightened body were so impressed with the ground taken, that they very soon adopted it, upon a slight revision by the author, as the concurrent voice of the Nation. This circumstance accounts for the similarity of feature in the two instruments. The one adopted by Congress will be given entire, in its proper place. Viewed in a political light, the present essay, like his ‘Rights of British America,’ proves the author’s mind to have been indoctrinated in the great principles of the Revolution, long before he wrote the Declaration of Independence. Its effect upon Lord Dunmore, may be inferred from his answer, a few days after its presentation to His Excellency. It was sufficiently laconic. “Gentlemen of the House of Burgesses—It is with real concern I can discover nothing in your address, that I think manifests the smallest inclination to, or will be productive of, a reconciliation with the mother country.”

This was the last regal Assembly that ever met in Virginia. They adjourned on the 24th of June, '75, and the Governor could never afterwards collect a quorum. Himself, in a paroxysm of terror and despair, had some days before abandoned the palace, fled for refuge on board one of the British ships of war, and declared he would never return, unless they closed in with the conciliatory proposition of the Prime Minister. But the fearless and irrevocable sentence of a Jefferson was soon passed upon that; and although His Excellency returned, the people would never afterwards receive him, or reverence his authority.

Thus crumbled to the dust, after having stood two centuries and a half, the baseless fabric of the monarchical power, in Virginia; and with it, "the wide arch of the raised empire fell."

As this was the last, so was it the most important Assembly that was held under the royal government. By its decisions, a long stride was taken in advancement of the general cause. The example was electric upon the other Provinces, and was felt with awe in the great American Council. The influence of its proceedings upon the final catastrophe, is well remembered by an historian.* "The constant gratitude," says he, "of the American people, will, through every succeeding generation, be due to this Assembly of enlightened patriots. Had they, upon this occasion, have accepted of any partial terms of accommodation, favorable to themselves alone, and in exclusion of the rights of the other Colonies, or had they been less firm in repelling the aggressions of the Governor, or less able in defending their own liberties, the cause of American Independence might probably have terminated very differently from what it actually did."

The fall of the regal power in Virginia, commenced the literal verification of that blasting prophecy of Wilkes, in the House of Commons, the February before. But the 'loss of the first Province of empire' was not followed, as he hoped, with the 'loss of the heads of the Ministers.' In the course of one of the most vehement and overwhelming onsets against Administration, and one of the most ardent and powerful discourses upon human liberty, every tittle of which was a prophecy, that intrepid defender of the rights of man uttered the following sentences. "In the great scale

* Girardin.

of empire, you will decline, I fear, from the decision of this day ; and the Americans will rise to independence, to power, to all the greatness of the most renowned States ; for they build on the solid basis of general public liberty." "If you persist in your resolution, all hope of reconciliation is extinct. The Americans will triumph—the whole continent of North America will be dismembered from Great Britain, and the wide arch of the raised empire fall. But I hope the just vengeance of the people will overtake the authors of these pernicious counsels, and the loss of the first Province of the empire, be speedily followed by the loss of the heads of those Ministers who first invented them."

CHAPTER IV.

On the 21st of June, 1775, Mr. Jefferson took his seat in the grand Council of select Arbiters, to whom America had committed the direction of her united destinies. In the origination of this Council, he had exercised a leading agency ; and through the whole process of its establishment, he had persevered, with all that ardor, which the force of his opinions uniformly engendered in the pursuit of great public enterprises. The emotions with which he entered upon this new scene, the object of his steadfast devotion, and the subject of an early, fixed, and animating presentiment, may well be imagined. Here indeed, were centered all those expectations for his country, and for mankind, which had enabled him to surmount past emergencies with ease, and which braced him for a terrible futurity. His fame had preceded him. The novelty and extraordinary boldness of his revolutionary papers, had marked him as a prodigy in political ethics. He brought with him, also, a high reputation for literature, science, and a singular talent for composition. "Writings of his," says John Adams, "were handed about, remarkable for their peculiar felicity of expression." These circumstances made him an object of curiosity among the members. His presence was courted. Curiosity was soon changed into admiration ; and admiration, in many instances, ripened into attachments,

which, cherished by his warm and tenacious sensibilities, the fiercest conflicts of opinion were never afterwards permitted to extinguish. In the language of the same distinguished cotemporary, and one who could feelingly attest the last observation, "he seized upon my heart."

The sentiment was reciprocal. He was now ushered upon a theatre, broad enough to match his own standard of thought, and desire of action. His patriotism had comprehended the whole territory of British America, and would stop at nothing short. The Union had had its birth place in his capacious mind. It had been first breathed from his lips. He had pointed to it, in all his propositions; and hurled it in defiance, at the British Premier. The consolidation of the moral and physical energies of the continent, was the first object of his ambition; and that object was now in a fair course of accomplishment.

The scene, moreover, was exquisitely adapted to his intellectual taste. Here was the great arena for the attack and defence of principle. The cool champions of reason, and the lightning sons of eloquence were gathered to the combat; and momentous questions of political law were required to be discussed. Now was the time, thought he, which should try the 'creeds' as well as the souls of men. On one side, was the full grown partisan of revolution; on the other, the lingering adherent of conciliation. Here, were the 'half-way guests' of John Dickinson—there, the whole length 'followers of their own reason;' the fervid impetuosity of youth, and the frigid caution of old age, were there; yet all assembled in solemn array, around a common altar, and ready to swear eternal cohesion upon one point,—that of a common deliverance or a common ruin. The materials were worthy the occasion, and the results were proportioned to both. The triumph of reason was signal and overwhelming. The decisions of that Assembly have long since passed into political axioms. They are revered as authority, at this day, and are dictating, in awful majesty, to the trembling autocrats of the earth.

Congress had been in session about six weeks when Mr. Jefferson arrived; yet an opportunity had been reserved, in anticipation, for impressing the tone of his sentiments upon the most important State-paper that had yet been meditated.

On the 24th of June, the committee which had been appointed

to prepare a *Declaration of the causes of taking up arms*, brought in their report. The report, being disapproved by the majority, was recommitted, and Mr. Jefferson and Mr. Dickinson were added to the committee. This document was designed as a manifesto to the world, justificatory of their resistance to the parent government, and required a sound and skillful disposition. The committee requested Mr. Jefferson to execute the draught. He excused himself; but on their pressing him with urgency, he consented. He brought it from his study, and laid it before the committee. It was too strong for Mr. Dickinson, as was anticipated by the writer. He still retained the hope of reconciliation with the mother country, and was unwilling it should be lessened by offensive statements. "He was so honest a man," says our reminiscence, "and so able a one, that he was greatly indulged even by those who could not feel his scruples." They therefore requested him to take the paper, and re-mould it according to his own views. He did so: preparing an entire new statement, and retaining of the former draught, only the last four paragraphs and half of the preceding one. The committee approved and reported it. In Congress, it encountered the shrugs and grimaces of the revolution party, in every quarter of the House; and the desire of unanimity, ever predominant, was the only motive which silenced their repugnance to its lukewarmness. A humorous circumstance attending its adoption, is related by Mr. Jefferson. It shows the great disparity of opinion which prevailed in that body, and the mutual sacrifices which were constantly required to preserve an unbroken column.

"Congress gave a signal proof of their indulgence to Mr. Dickinson, and of their great desire not to go too fast for any respectable part of our body, in permitting him to draw their second petition to the King, according to his own ideas, and passing it with scarcely any amendment. The disgust against its humility was general; and Mr. Dickinson's delight at its passage was the only circumstance which reconciled them to it. The vote being passed, although further observation on it was out of order, he could not refrain from rising and expressing his satisfaction, and concluded by saying, 'There is but one word, Mr. President, in the paper which I disapprove, and that is the word *Congress*; on which Ben Harrison rose and said, 'There is but one word in the paper, Mr. President, of which I approve, and that is the word *Congress*.'"

This production enjoys a high reputation. The fact that Mr. Jefferson had any agency in its preparation, or that so strong a dis-

crimination of sentiment existed in the Congress of '75, has never been stated by any writer ; nor indeed have any of those interesting minutiae, connected with our ancient history, come to the light, until since the publication of his private 'memoranda.' As a literary performance, and as a specimen of revolutionary fortitude, almost incredible, the effect of which was to charge the entire responsibility of the war upon Great Britain, it possesses great merit. But in a political point of view, it is insufferably tame and humiliating ; though even in that light, it was the best, perhaps, that the circumstances of the times allowed, inasmuch as it coincided with the sentiments of the great majority of the American people. It abandoned the whole ground which Mr. Jefferson had taken in his draught, the ground which he had uniformly maintained in his previous writings, and the one which Congress themselves adopted, the next year, as the only orthodox and tenable statement of their cause. It intimated a desire for an amicable compact, something like Magna Charta, in which doubtful, undefined points should be ascertained, so as to secure that proportion of authority and liberty, which would be for the general good of the whole empire. It claimed only a partial exemption from the authority of Parliament ; expressed a willingness in the Colonies to contribute, in their own way, to the expenses of government ; but made a traverse, at last, in preferring the horrors of war, to submission to the unlimited supremacy of Parliament.*

Such were the doctrines which influenced a very great majority of Congress, and so continued for a twelve-month. The actual revolutionists were a feeble body in the House. The decision of character requisite to assume a posture so heretical at this time, and so pregnant with the auguries of woe, desolation and death, appeared almost supernatural. It was enjoyed by few even of that race of men. The opinions which Mr. Jefferson had advanced at the outset, contained the essence of independence ; and the ardor of his convictions had, as on all other occasions, excited a corresponding tenor of action. The eye of reason and philosophy, with which he viewed the contest, presented to him the strangest inconsistencies in the antagonist opinions ; and it was a part of his religion to postpone no principle of right to the principle of expediency, farther

* Ramsay.

than was indispensable to the maintenance and greatest good of that right. It is not surprising, therefore, that he was 'disgusted' with the nature of those grounds upon which the majority chose to submit their cause to the umpirage of the world. But he knew, that public opinion was the only force which America possessed, and, that that was 'growing apace under the fostering hand of the King and Parliament.' He therefore, submitted with patience to the restraints which its present condition imposed. Nor is it to be inferred, that even he aimed at independence as a measure desirable in the abstract ; but as an awful alternative only,—a matter of the last resort. In this spirit, he had mingled with his protestations of right, and his solemn asseverations of eternal resistance, expressions of a cordial desire for a re-establishment of the union, upon a just and equitable basis. But such an union, he had long been convinced was not within the most distant contemplation of the British Court ; and those expressions were retained by him, more as a matter of form than any thing else. After stating the grounds upon which they rested the justification of their appeal to arms, the manifesto concludes in the language of Mr. Jefferson's draught.

It is worthy of remark, that, while all historians have concurred in ascribing the entire production to Mr. Dickinson, they have, at the same time, generally quoted only Mr. Jefferson's conclusion.

"We are reduced to the alternative of choosing an unconditional submission to the tyranny of irritated ministers, or resistance by force—the latter is our choice. We have counted the cost of this contest, and find nothing so dreadful as voluntary slavery. Honor, justice, and humanity, forbid us tamely to surrender that freedom which we received from our gallant ancestors, and which our innocent posterity have a right to receive from us. We cannot endure the infamy and guilt of resigning succeeding generations to that wretchedness which inevitably awaits them, if we basely entail hereditary bondage upon them.

"Our cause is just. Our union is perfect. Our internal resources are great ; and, if necessary, foreign assistance is undoubtedly attainable. We gratefully acknowledge, as signal instances of the Divine favour towards us, that his providence would not permit us to be called into this severe controversy, until we were grown up to our present strength, had been previously exercised in warlike operation, and possessed of the means of defending ourselves. With hearts fortified with these animating reflections, we most solemnly, before God and the world, *declare*, that, exerting the utmost energy of those powers, which our beneficent Creator hath

graciously bestowed on us, the arms we have been compelled by our enemies to assume, we will, in defiance of every hazard, with unabating firmness and perseverance, employ for the preservation of our liberties ; being with one mind resolved to die freemen, rather than to live slaves.

“Lest this declaration should disquiet the minds of our friends and fellow subjects in any part of the empire, we assure them, that we mean not to dissolve that union which has so long and so happily subsisted between us, and which we sincerely wish to see restored—necessity has not yet driven us into that desperate measure, or induced us to excite any other nation to war against them—we have not raised armies with ambitious designs of separating from Great Britain, and establishing independent States. We fight not for glory or for conquest. We exhibit to mankind the remarkable spectacle, of a people attacked by unprovoked enemies, without any imputation or even suspicion of offence. *They* boast of their privileges and civilization, and yet proffer no milder conditions than servitude or death.

“In our own native land, in defence of the freedom that is our birth right, and which we ever enjoyed until the late violation of it—for the protection of our property, acquired solely by the honest industry of our forefathers and ourselves, against violence actually offered, we have taken up arms. We shall lay them down when hostilities shall cease on the part of the aggressors, and all danger of their being renewed shall be removed—and not before.

“With an humble confidence in the mercies of the Supreme and impartial Judge and Ruler of the universe, we most devoutly implore his divine goodness to protect us happily through this great conflict, to dispose our adversaries to reconciliation on reasonable terms, and thereby to relieve the empire from the calamities of civil war.”

This declaration was published to the army by General Washington ; and proclaimed from the pulpit, with great solemnity, by the ministers of religion.

On the 22d of July, Congress took into consideration the Conciliatory Proposition of Lord North. This was a final measure, and it is said, they delayed their answer, under pretext of dignity, with a view to wait the event of the first actions, from which they might draw some prognostics of the probable issue of the war. However this may be, they exercised great discrimination in constituting the committee, who should prepare the instrument. Being elected by ballot, the number of votes which each received, decided his station on the committee—which was in the following order: Dr. Franklin, Mr. Jefferson, John Adams and Richard H. Lee. A stronger committee could not have been raised in that House. It combined the

greatest maturity of judgment, with the soundest revolutionary principles. It was a signal compliment to Mr. Jefferson, who was but a new member, and the youngest man in the whole body. The answer of the Virginia Assembly, upon the same subject, having been known and admired, the committee requested its distinguished author, to prepare the present report. He consented; and, as before observed, made his reply on the former occasion, the basis of this. Being intimately blended with the reputation of the writer, and the next in importance among our revolutionary papers, to his own 'Declaration,' it requires a place in this volume.

"The Congress took the said resolution into consideration, and are thereupon of opinion:

"That the Colonies of America are entitled to the sole and exclusive privilege, of giving and granting their own money; that this involves a right of deliberating, whether they will make any gift, for what purpose it shall be made, and what shall be its amount; that it is a high breach of this privilege, for any body of men, extraneous of their constitutions, to prescribe the purposes for which money shall be levied on them; to take to themselves the authority of judging of their conditions, circumstances, and situations, and of determining the amount of the contributions to be levied; and that, as the Colonies possess a right of appropriating their gifts, so are they entitled, at all times, to inquire into their application, to see that they are not wasted among the venal and corrupt, for the purpose of undermining the civil rights of the givers, nor yet be diverted to the support of standing armies, inconsistent with freedom and subversive of their quiet.

"To propose, therefore, as this resolution does, that the monies, given by the Colonies, shall be subject to the disposal of Parliament alone, is to propose, that they shall relinquish this right of inquiry, and put it in the power of others, to render their gifts ruinous, in proportion as they are liberal.

"That this privilege, of giving, or of withholding our monies, is an important barrier against the undue exertion of prerogative, which, if left altogether without control, may be exercised to our great oppression; and all history shows how efficacious is its intercession for redress of grievances, and re-establishment of rights, and how improvident it would be, to part with so powerful a mediator.

"We are of opinion, that the proposition, contained in this resolution, is unreasonable and insidious. Unreasonable: because, if we declare we accede to it, we declare, without reservation, we will purchase the favor of Parliament, not knowing, at the same time, at what price they will please to estimate their favor. Insidious; because, individual Colonies, having bid and bidden again, till they

find the avidity of the seller too great for all their powers to satisfy, are then to return into opposition, divided from their sister Colonies, whom the Minister will have previously detached, by a grant of easier terms, or by an artful procrastination of a definitive answer.

“That the suspension of the exercise of their pretended power of taxation, being, expressly, made commensurate with the continuance of our gifts, these must be perpetual to make that so. Whereas, no experience has shown, that a gift of perpetual revenue secures a perpetual return of duty, or of kind disposition. On the contrary, the Parliament itself, wisely attentive to the observation, is in the established practice of granting its supplies from year to year only.

“Desirous and determined as we are, to consider, in the most dispassionate view, every seeming advance, towards a reconciliation, made by the British Parliament, let our brethren of Britain reflect, what would have been the sacrifice to men of free spirits, had even fair terms been proffered, as these insidious proposals were, with circumstances of insult or defiance. A proposition to give our money, accompanied with large fleets and armies, seems addressed to our fears, rather than to our freedom. With what patience, could Britons have received articles of a treaty, from any power on earth, when borne on the point of a bayonet, by military plenipotentiaries? We think the attempt unnecessary to raise upon us, by force or by threats, our proportional contributions to the common defence, when all know, and themselves acknowledge, we have fully contributed, whenever called upon to do so, in the character of freemen.

“We are of opinion it is not just, that the Colonies should be required to oblige themselves to other contributions, while Great Britain possesses a monopoly of their trade. This of itself lays them under heavy contribution. To demand therefore additional aids, in the form of a tax, is to demand the double of their equal proportion. If we contribute equally with other parts of the empire, let us, equally with them, enjoy free commerce with the whole world: but while the restrictions on our trade shut to us the resources of wealth, is it just, we should bear all other burdens, equally with those to whom every resource is open?

“We conceive, that the British Parliament has no right to intermeddle with our provisions for the support of civil government, or administration of justice. The provisions we have made are such as please ourselves, and are agreeable to our own circumstances. They answer the substantial purposes of government, and of justice; and other purposes than these should not be answered. We do not mean, that our people shall be burdened, with oppressive taxes, to provide sinecures for the idle or the wicked, under color of providing for a civil list. While Parliament pursue their plan of civil government, within their own jurisdiction, we, also, hope to pursue ours, without molestation.

"We are of opinion, the proposition is altogether unsatisfactory ; because it imports only a suspension of the mode, not a renunciation of the pretended right, to tax us : because, too, it does not propose to repeal the several acts of Parliament, passed for the purposes of restraining the trade, and altering the form of government of one of our Colonies ; extending the boundaries, and changing the government of Quebec ; enlarging the jurisdiction of the courts of admiralty and vice-admiralty ; taking from us the right of a trial by jury of the vicinage, in cases affecting both life and property ; transporting us into other countries, to be tried for criminal offences ; exempting, by mock trial, the murderers of Colonists from punishment ; and quartering soldiers on us, in times of profound peace. Nor do they renounce the power of suspending our own Legislatures, and legislating for us themselves, in all cases whatsoever. On the contrary, to show they mean no discontinuance of injury, they pass acts, at the very time of holding out this proposition, for restraining the commerce and fisheries of the Provinces of New-England ; and for interdicting the trade of other Colonies, with all foreign nations, and with each other. This proves unequivocally, they mean not to relinquish the exercise of indiscriminate legislation over us.

"Upon the whole, this proposition seems to have been held up to the whole world, to deceive it into a belief, that there was nothing in dispute between us, but the mode of levying taxes ; and that the Parliament having been now so good as to give up this, the Colonies are unreasonable, if not perfectly satisfied. Whereas, in truth, our adversaries still claim a right of demanding, *ad libitum*, and of taxing us themselves, to the full amount of their demand, if we do comply with it. This leaves us without any thing we can call property : but, what is of more importance, and what, in this proposal, they keep out of sight, as if no such point was now in contest between us, they claim a right to alter our charters, and establish laws, and leave us without any security for our lives or liberties.

"The proposition seems, also, to have been calculated, more particularly, to lull into fatal security, our well-affected fellow subjects, on the other side of the water, till time should be given, for the operation of those arms, which a British minister pronounced would, instantaneously, reduce the cowardly sons of America, to unreserved submission. But, when the world reflects, how inadequate to justice are these vaunted terms ; when it attends to the rapid and bold succession of injuries, which, during a course of eleven years, have been aimed at the Colonies : when it reviews the pacific and respectful expostulations, which, during that whole time, were the sole arms we opposed to them ; when it observes, that our complaints were either not heard at all, or were answered with new and accumulated injuries ; when it recollects, that the minister himself, on an early occasion, declared, "that he would never treat with Amer-

ica, till he had brought her to his feet ;” that an avowed partisan of ministry has, more lately, denounced against us the dreadful sentence “*delenda est Carthago* ;” and that this was done, in presence of a British Senate, and being unreprieved by them, must be taken to be their own sentiments, especially as the purpose has already, in part, been carried into execution, by their treatment of Boston, and burning of Charlestown ; when it considers the great armaments, with which they have invaded us, and the circumstances of cruelty, with which these have commenced and prosecuted hostilities ; when these things, we say, are laid together, and attentively considered, can the world be deceived into an opinion, that we are unreasonable ? Or can it hesitate to believe with us, that nothing, but our own exertions, may defeat the ministerial sentence of death, or abject submission ?”

On the first of August, Congress adjourned, to meet again on the 5th of September following.

Although Mr. Jefferson had been in Congress but little over a month, and a silent member, he had erected a more durable monument to his fame, than any of his colleagues ; and stood on an eminence not inferior to the chiefest among the chiefs of that olympic Assembly. The following letters, which he addressed at this critical time, to a friend in England, are a couple of rare revolutionary fragments. They should be preserved as religious relics ; not only in veneration of the man, his pacific disposition, and his sleepless efforts for the restoration of tranquillity, with, though not without, a restoration of the just rights in question ; but also in remembrance of the character of that struggle which fills so sacred a page in our history. They show how little there was of any thing but principle, which entered into the motives of a principal actor, and one who was proscribed as an unpardonable among the movers of the rebellion.

“ Monticello, August 25, 1775.

“ Dear Sir,—I am sorry the situation of our country should render it not eligible to you to remain longer in it. I hope the returning wisdom of Great Britain will, ere long, put an end to this unnatural contest. There may be people to whose tempers and dispositions, contention is pleasing, and who, therefore, wish a continuance of confusion ; but to me, it is of all states but one, the most horrid. My first wish is a restoration of our just rights ; my second, a return of the happy period, when, consistently with duty, I may withdraw myself totally from the public stage, and pass the rest of my days in domestic ease and tranquillity, banishing

every desire of ever hearing what passes in the world. Perhaps, (for the latter adds considerably to the warmth of the former wish,) looking with fondness towards a reconciliation with Great Britain, I cannot help hoping you may be able to contribute towards expediting this good work. I think it must be evident to yourself, that the Ministry have been deceived by their officers on this side of the water, who (for what purpose, I cannot tell) have constantly represented the American opposition as that of a small faction, in which the body of the people took little part. This, you can inform them, of your own knowledge, is untrue. They have taken it into their heads, too, that we are cowards, and shall surrender at discretion to an armed force. The past and future operations of the war must confirm or undeceive them on that head. I wish they were thoroughly and minutely acquainted with every circumstance relative to America, as it exists in truth. I am persuaded, this would go far towards disposing them to reconciliation. Even those in Parliament who are called friends to America, seem to know nothing of our real determinations. I observe, they pronounced in the last Parliament, that the Congress of 1774, did not mean to insist rigorously on the terms they held out, but kept something in reserve, to give up; and, in fact, that they would give up every thing but the article of taxation. Now, the truth is far from this, as I can affirm, and put my honor to the assertion. Their continuance in this error may perhaps produce very ill consequences. The Congress stated the lowest terms they thought possible to be accepted, in order to convince the world they were not unreasonable. They gave up the monopoly and regulation of trade, and all acts of Parliament prior to 1764, leaving to British generosity to render these, at some future time, as easy to America, as the interest of Britain would admit. But this was before blood was spilt. I cannot affirm, but have reason to think, these terms would not now be accepted. I wish no false sense of honor, no ignorance of our real intentions, no vain hope that partial concessions of right will be accepted, may induce the Ministry to trifle with accommodation, till it shall be out of their power ever to accommodate. If, indeed, Great Britain, disjoined from her Colonies, be a match for the most potent nations of Europe, with the Colonies thrown into their scale, they may go on securely. But if they are not assured of this, it would be certainly unwise, by trying the event of another campaign, to risk our accepting a foreign aid, which perhaps may not be obtainable, but on condition of everlasting avulsion from Great Britain. This would be thought a hard condition to those who still wish for re-union with their parent country. I am sincerely one of those; and would rather be in dependence on Great Britain, properly limited, than on any nation upon earth, or than on no nation. But I am one of those, too, who, rather than

submit to the rights of legislating for us, assumed by the British Parliament, and which late experience has shown they will so cruelly exercise, would lend my hand to sink the whole island in the ocean.

If undeceiving the Minister, as to matters of fact, may change his disposition, it will perhaps be in your power, by assisting to do this, to render service to the whole empire at the most critical time, certainly, that it has ever seen. Whether Britain shall continue the head of the greatest empire on earth, or shall return to her original station in the political scale of Europe, depends, perhaps, on the resolutions of the succeeding winter. God send they may be wise and salutary for us all. I shall be glad to hear from you as often as you may be disposed to think of things here. You may be at liberty, I expect, to communicate some things, consistently with your honor and the duties you will owe to a protecting nation. Such a communication among individuals may be mutually beneficial to the contending parties. On this or any future occasion, if I affirm to you any facts, your knowledge of me will enable you to decide on their credibility; if I hazard opinions on the dispositions of men or other speculative points, you can only know they are my opinions. My best wishes for your felicity attend you wherever you go; and believe me to be, assuredly, your friend and servant."

"Philadelphia, Nov. 29, 1775.

"Dear Sir,—* * * * * It is an immense misfortune to the whole empire, to have a King of such a disposition at such a time. We are told, and every thing proves it true, that he is the bitterest enemy we have. His Minister is able, and that satisfies me, that ignorance or wickedness somewhere, controls him. In an earlier part of this contest, our petitions told him, that from our King there was but one appeal. The admonition was despised, and that appeal forced on us. To undo his empire, he has but one truth more to learn: that, after colonies have drawn the sword, there is but one step more they can take. That step is now pressed upon us by the measures adopted, as if they were afraid we would not take it. Believe me, dear Sir, there is not in the British empire a man who more cordially loves a union with Great Britain than I do. But, by the God that made me, I will cease to exist before I yield to a connection on such terms as the British Parliament propose; and in this, I think I speak the sentiments of America. We want neither inducement nor power to declare and assert a separation. It is will alone which is wanting; and that is growing apace under the fostering hand of our King. One bloody campaign will probably decide everlastingly our future course; I am sorry to find a bloody campaign is decided on. If

our winds and waters should not combine to rescue their shores from slavery, and General Howe's reinforcement should arrive in safety, we have hopes he will be inspirited to come out of Boston and take another drubbing ; and we must drub him soundly, before the sceptred tyrant will know we are not mere brutes, to crouch under his hand, and kiss the rod, with which he deigns to scourge us. Yours, &c.

Mr. Jefferson was re-elected to Congress in August, 1775, and again in June, '76 ; continuing a member of that body, without intermission, until he resigned his seat in September, '76.

During his absence however, at Philadelphia, he was not inattentive to the affairs of his native State. He maintained a constant correspondence with the patriot leaders in that Province, particularly Mr. Wythe, and stimulated them, if any stimulus was wanting, to the strongest measures of political enfranchisement. Having headed the principal movements in Virginia, of a civil character, he exercised a preponderating influence in her councils. That State also, he was aware, constituted so important a link in the Union, that it would be difficult for any part to go wrong, if she went right. She had given birth to the most prominent measures in the Continent, of a general character ; and her precedent was deemed authority in the Federal Council. The examples with which she was now about to arouse their attention, were more decisive, than any she had hitherto presented ; and he felt an invincible anxiety to participate in bringing them forward, to the best advantage.

The dissolution of the regal, and substitution of the popular administration in Virginia, was unattended by a single spasm. But as yet, no settled form of government had been established. There was no Constitution, and no distinct Executive head. The legislative, judiciary, and executive functions, were all lodged in one body—the Colonial Convention. This was the grand depository of the whole political power in the Province. Although confined to his station in Congress, and oppressed with the cares of the general administration, Mr. Jefferson could not overlook, in silence, the dangers to be apprehended from so jarring a combination of fundamental powers, in the political establishment of Virginia ; and he exerted his influence to procure a more perfect organization, at the meeting of the next Convention.

The Convention assembled at Williamsburg, on the 6th of May, 1776, when the vices of the existing system were removed, by the adoption of a DECLARATION OF RIGHTS, and a CONSTITUTION, which have existed, without alteration, from that day until within a few years past. The subject was brought forward on the 15th of May, by Colonel Archibald Cary, a man of herculean stature, and force of character, who moved the appointment of a committee 'to prepare a declaration of rights and plan of government, to maintain peace and order in the Colony, and secure substantial and equal liberty to the people.' Whereupon a committee of thirty-four persons was appointed, consisting of the wisest heads and firmest hearts of Virginia; of whom, that veteran republican, George Mason, who was himself a host, was one.

The question now arises which has been so often agitated—What particular agency, if any, had Mr. Jefferson, in the formation of the Virginia Constitution? He was distant from the scene of the Convention, and immersed in the complicated duties of his official station. This question has, within a few years, been put to rest by Mr. Girardin, in his *Continuation of Burke's History of Virginia*. This gentleman had free access to Mr. Jefferson's papers, while compiling his history, and has presented the matter in a clear light.

It appears that the entire *Preamble*, and some portions of the body of the instrument, are the production of Mr. Jefferson; but the bulk of the Constitution, including the Declaration of Rights, is the work of George Mason. Eager upon the great work of Political Reformation, the former had composed, at Philadelphia, and transmitted to his friend Mr. Wythe, the draught of an entire system of government, comprehending a Preamble, Declaration of Rights, and Constitution. But his plan was not received until the previous one had gone through a Committee of the whole, and been submitted to the Convention for their final sanction. It was then too late to adopt it entire. "Mr. Jefferson's valuable communication," says Mr. Girardin, "reached the Convention, just at the moment when the plan originally drawn up by Colonel George Mason, and afterwards discussed and amended, was to receive the final sanction of that venerable body. It was now too late to retrace previous steps; the session had already been uncommonly la-

borious ; and considerations of personal delicacy hindered those,* to whom Mr. Jefferson's ideas were imparted, from proposing or urging new alterations. Two or three parts of his plan, and the whole of his Preamble, however, were adopted ; and to this circumstance, must be ascribed the strong similitude between the Preamble, and the Declaration of Independence, subsequently issued by the Continental Congress, both having been traced by the same pen." In the Life of Patrick Henry, it is also stated :† ' There now exists among the archives of this State, an original rough draught of a Constitution for Virginia, in the hand-writing of Mr. Jefferson, containing this identical Preamble. The body of the Constitution had been adopted by the committee of the whole, before the arrival of Mr. Jefferson's plan : his Preamble, however, was prefixed to the instrument ; and some of the modifications proposed by him, introduced into the body of it.'

The Constitution was adopted unanimously, on the 29th of June, 1776 ; and to that date may be referred the first establishment of self-government, by a written compact, in the western continent, and probably in the whole world. It formed the model for all the other States, as they successively recovered themselves from the parent monarchy ; and they were not slow in doing this. The example of Virginia was soon followed by the other Provinces, and the popular administrations succeeded to the regal, with astonishing rapidity.

The part which Mr. Jefferson took in this important transaction, cannot be sufficiently admired. It happened on the eve of the momentous proceedings upon Independence, in Congress ; and in the midst of the busy preparation for that all-absorbing question. But the freedom and prosperity of his native State lay nearest to his heart. His watchful spirit hovered over her, with the protecting care

* The historian here alludes to Mr. Wythe, and cites his answer to Mr. Jefferson, as follows :

"When I came here the plan of Government had been committed to the whole House. To those who had the chief hand in forming it, the one you put into my hands was shewn. Two or three parts of this, were, with little alteration, inserted in that ; but such was the impatience of sitting long enough to discuss several important points in which they differ, and so many other matters were necessarily to be dispatched before the adjournment, that I was persuaded the revision of a subject the members seemed tired of, would at that time have been unsuccessfully proposed.—The system agreed to, in my opinion, requires reformation. In October, I hope you will effect it."

† Page 196, Note.

of a tutelary genius. When, therefore, he saw her righting herself into the noble attitude of Independence, he strove to reach forth a helping arm and to throw the whole weight which his situation allowed him to command, into that scale of her power which should embody the greatest amount of republicanism in the operation. He saw, that the step she was then about to take, would decide everlastingly her political course; perhaps, too, the everlasting political course of the whole country. He was anxious, therefore, that it should partake as thoroughly of the popular spirit, as the state of public opinion would admit. The system which was adopted, was more aristocratical in its features, than the one which he proposed, and less perfect as a whole. But the merits of his plan will be more particularly discussed in a future chapter. Meanwhile, the following paragraph, in a letter to Major John Cartwright, in 1824, will suffice to show the general light in which he viewed the first republican charter, as well as the extent to which he carried his democratic theory, in 1776.

“Virginia, of which I am myself a native and resident, was not only the first of the States, but, I believe I may say, the first of the nations of the earth, which assembled its wise men peaceably together, to form a fundamental constitution, to commit it to writing, and place it among their archives, where every one should be free to appeal to its text. But this act was very imperfect. The other States, as they proceeded successfully to the same work, made successive improvements; and several of them, still further corrected by experience, have, by conventions, still further amended their first forms. My own State has gone on so far with its *premiere ebauche*; but it is now proposing to call a convention for amendment. Among the other improvements, I hope they will adopt the subdivision of our counties into wards. The former may be estimated at an average of twenty-four miles square; the latter should be about six miles square each, and would answer to the hundreds of your Saxon Alfred. In each of these might be, 1. An elementary school. 2. A company of militia, with its officers. 3. A justice of the peace and constable. 4. Each ward should take care of their own poor. 5. Their own roads. 6. Their own police. 7. Elect within themselves one or more jurors to attend the courts of justice. And, 8. Give in at their Folk-house, their votes for all functionaries reserved to their election. Each ward would thus be a small republic within itself, and every man in the State would thus become an acting member of the common government, transacting in person a great portion of its rights and duties, subordinate indeed, yet important and entirely within his competence. The wit of man cannot

devise a more solid basis for a free, durable, and well-administered Republic."

This was the remarkable extent to which Mr. Jefferson carried his theory of representative government at the first 'leap.' That he had imbibed these doctrines so early as '76, is evident; for in his celebrated Revisal of the Laws of Virginia, commenced in the autumn of that year, he introduced a proposition for dividing the whole State into wards of six miles square, and for imparting to each, those identical portions of self-government above described. This curious fact will be more fully developed in the sequel.

But this Convention aspired to a higher agency in directing the course of the Revolution. The same hour which gave birth to the proposition for establishing the new government, was signalized by the adoption of a recommendation, which pointed directly to the grand object of the struggle. The resolution containing it, was conceived in the following terms:

"Resolved, *unanimously*, That the Delegates appointed to represent this Colony in General Congress, be instructed to propose to that respectable body, to DECLARE THE UNITED COLONIES FREE AND INDEPENDENT STATES, absolved from all allegiance to, or dependence upon, the Crown or Parliament of Great Britain; and that they give the assent of this Colony to such declaration, and to whatever measures may be thought proper and necessary by the Congress, for forming foreign alliances, and a CONFEDERATION OF THE COLONIES, at such time, and in the manner, as to them shall seem best. Provided, that the power of forming government for, and the regulation of, the internal concerns of each Colony, be left to the respective Colonial Legislatures."

The intelligence of this auspicious denouement, was received with a general feeling of approbation throughout the country, and in many places, with the liveliest demonstrations of joy. It was the signal for corresponding manifestations in most of the Provincial Legislatures, and in the course of a short period, a great majority of the Representatives in Congress, were instructed to the same effect. The burning theme of Independence was thus echoed and re-echoed from one Colony to another, and thundered upon the attention of the people, in unremitting peals.

At this propitious moment, the gallant author of 'Common Sense' lighted his fiercest torch, and discharged a tremendous battery into the public mind; animating the torpid reins of the loyalist, and instilling new phrensy into the aching bosom of the patriot. The

efforts of this unrivaled propagandist, were powerfully reinforced by those solid appeals to the reason and conscience, which were propounded to individual characters of weight, in different sections, through the dignified medium of Private Correspondence. This was the great political lever of Mr. Jefferson ; and upon this, as upon all other occasions, its power, in application to the moral, was like that of Archimedes to the material, world. These active moral causes, mingling in confluence, poured a steady stream of excitement into the popular mind. The brilliant success of the American arms, in several important engagements, strengthened the general proclivity ; and the unmitigable rigor of the parent despotism, pursuing with unbridled ferocity, the destruction of her devoted offspring, swelled the torrent of irritation and of generous enthusiasm, to its ultimatum.

In Congress also, at this period, May, '76, corresponding advances had been made in political sentiment. The doctrines of Mr. Jefferson were now clearly in the ascendant. It was no longer heresy to maintain the sovereignty of the people, and the co-ordinate sovereignty of the States with Great Britain, in all matters of government, external as well as internal ; at least, it was not so in practice, however it may have been in the abstract. The revolution party were predominant. A powerful minority, however, still existed, who clung with filial suppliance to the supposed ties, which bound them in conscience and in honor, to the parent government. But, happily, this party were terribly shaken in their faith, by a recent act of Parliament, which declared the Colonies in a State of rebellion, and out of the protection of the British Crown. They reasoned from this, that as protection and dependence were reciprocal, the one having ceased, the other might also ; and that therefore, Great Britain herself had actually declared them independent ! This was a sound conclusion ; and who can sufficiently admire the stupendous folly of the British Parliament ? Still, however, cautious approaches to the last extremities, were requisite, to preserve the customary unanimity.

A preparatory step was accordingly taken by the Patriots, which discovered great address. A resolution was proposed declaring, that 'whereas the government of Great Britain had excluded the United Colonies *from the protection of the Crown*, it was therefore irreconcilable to reason and good conscience, for the people to con-

tinue their allegiance to the government under that Crown ; and they accordingly recommended the several Colonies *to establish independent governments of their own.*

This resolution was adopted on the 15th of May ; and by a remarkable coincidence, the Convention of Virginia had, on the same day, adopted the resolution appointing a committee to prepare a declaration of rights and plan of government for that Colony. It is said, that Mr. Jefferson, being constantly apprised of the progress of the Convention, promoted this singular concurrence of parallel results, with a view to popular effect. Be this as it may, he was an ardent patron of the measure in Congress ; regarding it, as he did, the entering wedge of the grand proposition, which he throbbed with impatience to see carried.

On the 28th of May, upon motion of Mr. Jefferson, Congress resolved, “ that an *animated* Address be published, to impress the minds of the people with the necessity of now stepping forward to save their country, their freedom, and their property.” Being appointed chairman of the committee upon this resolution, he prepared the address ; and an *animated* address it was ; conceived in his happiest manner, with a power of expression and of argument, which carried conviction and courage to the breast of every man. This was another ingenious stroke of policy, designed to prepare the popular mind for a favorable reception of the momentous decision in reserve.

The plot of the magnificent drama now began to thicken. The delegates from Virginia received their Independence instructions early in June, and immediately held a conference to arrange the preliminaries for acting upon them, with all the solemnity which the nature of the occasion required. Richard H. Lee, being the oldest in the delegation, and endowed with extraordinary powers of eloquence, was designated to make the introductory motion, and the seventh of June was ordered as the day. Accordingly, on that day he rose from his seat and moved, that Congress should declare, ‘ That these United Colonies are, and of right ought to be, *free and independent States*, that they are absolved from all allegiance to the British Crown, and that all political connection between them and the State of Great Britain, is, and ought to be, totally dissolved ; that measures should be immediately taken for procur-

ing the assistance of foreign powers, and a *Confederation* be formed to bind the Colonies more closely together.'

The House being obliged to attend at that time, to some other business, the proposition was deferred to the next day, when the members were ordered to attend punctually at ten o'clock.

Saturday, June 8th, Congress proceeded to take the subject into consideration, and referred it to a Committee of the Whole, into which they immediately resolved themselves, and passed that day and Monday, the 10th, in warm and vehement debates.

The conflict was painful. The hardest metal of that hard race of legislators, was brought into collision. All the strong combatants in that giant Areopagus, the impetuous declaimer, and the astute logician, were marshaled in fearful array, and the most momentous question that ever agitated a political assembly, alternately oppugned and defended, with a power and pertinacity which set imagination at defiance. The heads only, of the arguments delivered on this interesting occasion, have been preserved—by one man alone, Mr. Jefferson; and they owe their first disclosure to the world, to his posthumous publication. They shall be given here in the summary form, in which they were left by him.

In opposition to the measure, it was argued by Dickinson and Wilson of Pennsylvania, Robert R. Livingston of New York, Edward Rutledge of South Carolina, and others—

"That, though they were friends to the measures themselves, and saw the impossibility that we should ever again be united with Great Britain, yet they were against adopting them at this time:

"That the conduct we had formerly observed was wise and proper now, of deferring to take any capital step till the voice of the people drove us into it:

"That they were our power, and without them our declarations could not be carried into effect:

"That the people of the middle Colonies (Maryland, Delaware, Pennsylvania, the Jerseys and New York) were not yet ripe for bidding adieu to British connection, but that they were fast ripening, and in a short time, would join in the general voice of America:

"That the resolution, entered into by this House on the 15th of May, for suppressing the exercise of all powers derived from the Crown, had shown, by the ferment into which it had thrown these middle Colonies, that they had not yet accommodated their minds to a separation from the mother country:

"That some of them had expressly forbidden their Delegates to

consent to such a declaration, and others had given no instructions, and consequently no powers to give such consent :

“ That if the Delegates of any particular Colony had no power to declare such Colony independent, certain they were, the others could not declare it for them ; the Colonies being as yet perfectly independent of each other :

“ That the Assembly of Pennsylvania was now sitting above stairs, their Convention would sit within a few days ; the convention of New York was now sitting ; and those of the Jerseys and Delaware counties would meet on the Monday following, and it was probable these bodies would take up the question of Independence, and would declare to their Delegates the voice of their State :

“ That if such a declaration should now be agreed to, these Delegates must retire, and possibly their Colonies might secede from the Union :

“ That such a secession would weaken us more than could be compensated by any foreign alliance :

“ That in the event of such a division, foreign powers would either refuse to join themselves to our fortunes, or, having us so much in their power as that desperate declaration would place us, they would insist on terms proportionably more hard and prejudicial :

“ That we have little reason to expect an alliance with those to whom alone, as yet, we have cast our eyes :

“ That France and Spain had reason to be jealous of that rising power, which would one day certainly strip them of all their American possessions :

“ That it was more likely they should form a connection with the British Court, who, if they should find themselves unable otherwise to extricate themselves from their difficulties, would agree to a partition of our territories, restoring Canada to France, and the Floridas to Spain, to accomplish for themselves a recovery of these Colonies :

“ That it would not be long before we should receive certain information of the disposition of the French Court, from the agent whom we had sent to Paris for that purpose :

“ That if this disposition should be favorable, by waiting the event of the present campaign, which we all hoped would be successful, we should have reason to expect an alliance on better terms :

“ That this would in fact work no delay of any effectual aid from such an ally, as, from the advance of the season and distance of our situation, it was impossible we could receive any assistance during this campaign :

“ That it was prudent to fix among ourselves the terms on which we would form an alliance, before we declared we would form one at all events :

“ And that if these were agreed on, and our Declaration of Inde-

pendence ready, by the time our Ambassador should be prepared to sail, it would be as well, as to go into that Declaration at this day."

In support of the proposition, it was urged by Mr. Jefferson, John and Samuel Adams, Lee, Wythe, and others—

"That no gentleman had argued against the policy or the right of separation from Britain, nor had supposed it possible we should ever renew our connection; that they had only opposed its being now declared :

"That the question was not whether, by a Declaration of Independence, we should make ourselves what we are not ; but whether we should declare a fact which already exists :

"That, as to the people or Parliament of England, we had always been independent of them, their restraints on our trade deriving efficacy from our acquiescence only, and not from any rights they possessed of imposing them, and that so far, our connection had been federal only, and was now dissolved by the commencement of hostilities :

"That, as to the King, we had been bound to him by allegiance, but that this bond was now dissolved by his assent to the late act of Parliament, by which he declares us out of his protection, and by his levying war on us, a fact which had long ago proved us out of his protection ; it being a certain position in law, that allegiance and protection are reciprocal, the one ceasing when the other is withdrawn :

"That James the II. never declared the people of England out of his protection, yet his actions proved it and the Parliament declared it :

"No Delegates then can be denied, or ever want, a power of declaring an existent truth :

"That the Delegates from the Delaware counties having declared their constituents ready to join, there are only two Colonies, Pennsylvania and Maryland, whose Delegates are absolutely tied up, and that these had, by their instructions, only reserved a right of confirming or rejecting the measure :

"That the instructions from Pennsylvania might be accounted for, from the times in which they were drawn, near a twelvemonth ago, since which the face of affairs has totally changed :

"That within that time, it had become apparent that Britain was determined to accept nothing less than a *carte-blanche*, and that the King's answer to the Lord Mayor, Aldermen, and Common Council of London, which had come to hand four days ago, must have satisfied every one of this point :

"That the people wait for us to lead the way :

"That *they* are in favor of the measure, though the instructions given by some of their *representatives* are not :

"That the voice of the representatives is not always consonant

with the voice of the people, and that this is remarkably the case in these middle Colonies :

“That the effect of the resolution of the 15th of May has proved this, which, raising the murmurs of some in the Colonies of Pennsylvania and Maryland, called forth the opposing voice of the freer part of the people, and proved them to be the majority even in these Colonies :

“That the backwardness of these two Colonies might be ascribed partly, to the influence of proprietary power and connections, and partly, to their having not yet been attacked by the enemy :

“That these causes were not likely to be soon removed, as there seemed no probability that the enemy would make either of these the seat of this summer’s war :

“That it would be vain to wait either weeks or months for perfect unanimity, since it was impossible that all men should ever become of one sentiment on any question :

“That the conduct of some Colonies, from the beginning of this contest, had given reason to suspect it was their settled policy to keep in the rear of the confederacy, that their particular prospect might be better, even in the worst event :

“That, therefore, it was necessary for those Colonies, who had thrown themselves forward and hazarded all from the beginning, to come forward now also, and put all again to their own hazard :

“That the history of the Dutch Revolution, of whom three states only confederated at first, proved that a secession of some Colonies would not be so dangerous as some apprehended :

“That a Declaration of Independence alone could render it consistent with European delicacy, for European powers to treat with us, or even to receive an Ambassador from us :

“That till this, they would not receive our vessels into their ports, nor acknowledge the adjudications of our courts of admiralty to be legitimate, in cases of capture of British vessels :

“That though France and Spain may be jealous of our rising power, they must think it will be much more formidable with the addition of Great Britain ; and will therefore see it their interest to prevent a coalition ; but should they refuse, we shall be but where we are ; whereas without trying, we shall never know whether they will aid us or not :

“That the present campaign may be unsuccessful, and therefore we had better propose an alliance while our affairs wear a hopeful aspect :

“That to wait the event of this campaign will certainly work delay, because, during this summer, France may assist us effectually, by cutting off those supplies of provisions from England and Ireland, on which the enemy’s armies here are to depend ; or by setting in motion the great power they have collected in the West Indies, and calling our enemy to the defence of the possessions they have there :

"That it would be idle to lose time in settling the terms of alliance, till we had first determined we would enter into alliance:

"That it is necessary to lose no time in opening a trade for our people, who will want clothes, and will want money too, for the payment of taxes :

"And that the only misfortune is, that we did not enter into alliance with France six months sooner, as, besides opening her ports for the vent of our last year's produce, she might have marched an army into Germany, and prevented the petty Princes there, from selling their unhappy subjects to subdue us."

The tenor of these debates indicated such a strength of opposition to the measure, that it was deemed impolitic to press it at this time. The Colonies of New-York, New-Jersey, Pennsylvania, Delaware, Maryland, and South Carolina, were not yet 'matured for falling from the parent stem;' but as they were fast advancing to that state, it was thought most prudent to wait awhile for them. The final decision of the question was therefore postponed to the 1st of July. But, that this might occasion as little delay as possible, it was ordered that a committee be appointed to prepare a DECLARATION OF INDEPENDENCE, to the intent of the motion. Mr. Jefferson having the highest number of votes, was placed at the head of this Committee; the other members were John Adams, Dr. Franklin, Roger Sherman, and Robert R. Livingston. The Committee met, and unanimously solicited Mr. Jefferson to prepare the draught of the Declaration, alone. He drew it; but before submitting it to the Committee, he communicated it, separately, to Dr. Franklin and Mr. Adams, with a view to avail himself of the benefit of their criticisms. They criticised it, and suggested two or three alterations, merely verbal, intended to soften somewhat the original phraseology. The Committee unanimously approved it; and on Friday, the 28th of June, he reported it to Congress, when it was read and ordered to lie on the table.

On Monday, the first of July, agreeably to assignment, the House resolved itself into a Committee of the Whole, and resumed the consideration of the preliminary motion. It was debated again through the day, and finally carried in the affirmative, by the votes of New-Hampshire, Connecticut, Massachusetts, Rhode-Island, New-Jersey, Maryland, Virginia, North Carolina and Georgia. South Carolina and Pennsylvania, voted against it. Delaware had but two members present, and they were divided. The Delegates from

New-York declared they were for it themselves, and were assured their constituents were for it ; but, that their instructions having been drawn near a twelvemonth before, when reconciliation was still the general object, they were enjoined by them to do nothing which should impede that object. They therefore, thought themselves not justifiable in voting on either side, and asked leave to withdraw from the question ; which was granted them. In this state of things, the Committee rose and reported their resolution to the House. Mr. Edward Rutledge, of South Carolina, then requested the determination might be put off to the next day, as he believed his colleagues, though they disapproved of the resolution, would then join in it for the sake of unanimity. The ultimate decision by the House, was accordingly postponed to the next day, July 2d, when it was again moved, and South Carolina concurred in voting for it. In the mean time, a third member had come post from the Delaware counties, and turned the vote of that Colony in favor of the resolution. Members of a different sentiment attending that morning, from Pennsylvania, her vote also was changed ; so that the whole twelve Colonies, who were authorised to vote at all, gave their voice for it ; and within a few days, July 9th, the Convention of New-York approved of it, and thus supplied the void occasioned by the withdrawal of her Delegates from the question.

It should be observed that these oscillatory proceedings and final vote, were upon the *original motion*, to declare the Colonies independent.

Congress proceeded the same day, July 2d, to consider the *Declaration of Independence*, which had been reported the 28th of June, and ordered to lie on the table. The debates were again renewed with great violence—greater than before. Tremendous was the ordeal through which the title-deed of our liberties, perfect as it had issued from the hands of its great artificer, was destined to pass. Inch by inch, was its progress through the House disputed. Every dictum of peculiar political force, (and it was crowded with such,) and almost every sentence, were made a subject of acrimonious animadversion, by the anti-revolutionists. On the other hand, the champions of Independence contended, with the constancy of martyrs, for every tenet and every word of the precious gospel of their faith. Among the latter class, the Author of the Declaration himself, has assigned to John Adams the pre-eminent station of

primus inter pares. Thirty-seven years afterwards, he declared that "Mr. Adams was the pillar of its support on the floor of Congress, its ablest advocate and defender against the multifarious assaults it encountered." At another time, he said "John Adams was our Colossus on the floor. Not graceful, not elegant, not always fluent in his public addresses, he yet came out with a power, both of thought and of expression, which moved us from our seats." The grandeur, and the terror of that scene transcend the boundaries of conception. On the result of their deliberations, hung the fate of America, and the political salvation of the world. Their councils, their speeches, their emotions, their countenances, have been celebrated, in ceaseless multiplication, in prose and in verse, from that day to the present; but the representations have fallen, and must forever fall, infinitely short of the realities. Through the long, doubtful, and incessant conflict, sat Mr. Jefferson, a silent, though not an unimpassioned, witness of the furnace of disquisition, which was trying the product of his own mind. To a man of ordinary sensibilities, the spectacle must have been painful; to him it was peculiarly so.*

The debates were continued with unremitting heat, through the 2d, 3d, and 4th days of July, till on the evening of the last,—the most important day, politically speaking, that the world ever saw,—

* The ready and good-humored Dr. Franklin, sitting near Mr. Jefferson, and seeing him agonising under the severity of the strictures, related in his ear, by way of comfort, the following anecdote:

"I have made it a rule, whenever it is in my power, to avoid becoming the draughtsman of papers to be reviewed by a public body. I took my lesson from an incident which I will relate to you. When I was a journeyman printer, one of my companions, an apprentice hatter, having served out his time, was about to open a shop for himself. His first concern was to have a handsome sign-board, with a proper inscription. He composed it in these words: "John Thompson, *Hatter, makes and sells hats for ready money,*" with the figure of the hat subjoined. But he thought he would submit it to his friends for their amendments. The first he showed it to, thought the word '*hatter,*' tautologous, because followed by the words '*makes hats,*' which shows he was a hatter. It was struck out. The next observed, that the word '*makes,*' might as well be omitted, because his customers would not care who made the hats; if good, and to their minds, they would buy, by whomsoever made. He struck it out. A third said he thought the words '*for ready money,*' were useless, as it was not the custom of the place to sell on credit: every one who purchased expected to pay. They were parted with, and the inscription now stood, 'John Thompson, *sells hats.*' '*Sells hats!*' says his next friend; 'why, nobody will expect you to give them away. What, then, is the use of the word?' It was stricken out; and '*hats*' followed, the rather, as there was one painted on the board; so his inscription was reduced, ultimately, to 'John Thompson,' with the figure of the hat subjoined."

they were brought to a close. The principle of unanimity finally preponderated ; and reciprocal concessions, sufficient to unite all on the solid ground of the main purpose, were generously laid at its feet. Some of the most splendid specifications, however, in the American Charter, were surrendered, in the spirit of compromise. On some of these, too, it is well known the Author set the highest value, as recognising principles to which he was enthusiastically partial, and which were almost peculiar to him. His scorching malediction against the traffickers in human blood, is pointedly among the latter. The light in which he viewed these depredations upon the original, may be gathered from the following memorandum of the transaction ; in which, too, he betrays a fact in relation to New England, that is not generally known.

“ The pusillanimous idea that we had friends in England worth keeping terms with, still haunted the minds of many. For this reason, those passages which conveyed censures on the people of England, were struck out, lest they should give them offence. The clause too, reprobating the enslaving the inhabitants of Africa, was struck out, in complaisance to South Carolina and Georgia, who had never attempted to restrain the importation of slaves, and who, on the contrary, still wished to continue it. *Our northern brethren also, I believe, felt a little tender under those censures ; for though the people had very few slaves themselves, yet they had been pretty considerable carriers of them to others.*”

For the purpose of comparing the original, with the amended, form, the Declaration will be presented, as it came from the hands of the Author. The parts stricken out by Congress are printed in *Italics*, and inclosed in brackets ; and those inserted by them are placed in the margin. The sentiments of men are known by what they reject, as well as by what they receive, and the comparison, in the present case, will discover corroborative proof of the singular forwardness of one mind, on certain great points of principle.

A Declaration by the Representatives of the United States of America, in *General Congress assembled*.

When, in the course of human events, it becomes necessary for one people to dissolve the political bands which have connected them with another, and to assume among the powers of the earth, the separate and equal station to which the laws of nature and of nature's God entitle them, a decent respect to the opinions of mankind re-

quires, that they should declare the causes which impel them to the separation.

We hold these truths to be self-evident : that all men are created equal ; that they are endowed by their Creator with [*inherent and*] inalienable rights ; that among these are life, liberty and the pursuit of happiness ; that to secure these rights, governments are instituted among men, deriving their just powers from the consent of the governed ; that whenever any form of government becomes destructive of these ends, it is the right of a people to alter or abolish it, and to institute new government, laying its foundation on such principles, and organizing its powers in such form, as to them shall seem most likely to effect their safety and happiness. Prudence, indeed, will dictate that governments long established should not be changed for light and transient causes ; and accordingly all experience hath shown that mankind are more disposed to suffer while evils are sufferable, than to right themselves by abolishing the forms to which they are accustomed. But when a long train of abuses and usurpations [*begun at a distinguished period and*] pursuing invariably the same object, evinces a design to reduce them under absolute despotism, it is their right, it is their duty to throw off such government, and to provide new guards for their future security. Such has been the patient sufferance of the Colonies ; and such is now the necessity which constrains them to [*expunge*] their former systems of government. The history of the present King of Great Britain is a history of [*unremitting*] injuries and usurpations, [*among which appears no solitary fact to contradict the uniform tenor of the rest, but all have*] in direct object the establishment of an absolute tyranny over these States. To prove this, let facts be submitted to a candid world [*for the truth of which we pledge a faith yet unsullied by falsehood.*]

He has refused his assent to laws the most wholesome and necessary for the public good.

He has forbidden his governors to pass laws of immediate and pressing importance, unless suspended in their operation till his assent should be obtained ; and, when so suspended, he has utterly neglected to attend to them.

He has refused to pass other laws for the accommodation of large districts of people, unless those people would relinquish the right of representation in the legislature, a right inestimable to them, and formidable to tyrants only.

He has called together legislative bodies at places unusual, uncomfortable and distant from the depository of

their public records, for the sole purpose of fatiguing them into compliance with his measures.

He has dissolved representative Houses repeatedly [*and continually*] for opposing with manly firmness his invasions on the rights of the people.

He has refused for a long time after such dissolutions to cause others to be elected, whereby the legislative powers, incapable of annihilation, have returned to the people at large for their exercise, the State remaining, in the mean time, exposed to all the dangers of invasion from without and convulsions within.

He has endeavored to prevent the population of these States ; for that purpose obstructing the laws for naturalization of foreigners, refusing to pass others to encourage their migrations hither, and raising the conditions of new appropriations of lands.

obstructed
by

He has [*suffered*] the administration of justice [*totally to cease in some of these States*] refusing his assent to laws for establishing judiciary powers.

He has made [*our*] judges dependant on his will alone for the tenure of their offices, and the amount and payment of their salaries.

He has erected a multitude of new offices, [*by a self assumed power*] and sent hither swarms of new officers to harass our people, and eat out their substance.

He has kept among us in times of peace standing armies [*and ships of war*] without the consent of our legislatures.

He has affected to render the military independent of, and superior to, the civil power.

in many
cases

He has combined with others to subject us to a jurisdiction foreign to our constitutions and unacknowledged by our laws, giving his assent to their acts of pretended legislation for quartering large bodies of armed troops among us ; for protecting them by a mock trial from punishment for any murders which they should commit on the inhabitants of these States ; for cutting off our trade with all parts of the world ; for imposing taxes on us without our consent ; for depriving us [] of the benefits of trial by jury ; for transporting us beyond seas to be tried for pretended offences ; for abolishing the free system of English laws in a neighboring Province, establishing therein an arbitrary government, and enlarging its boundaries, so as to render it at once an example and fit instrument for introducing the same absolute rule into these [*states*] ; for taking away our charters, abolishing our most valuable laws, and altering fundamentally

colonies

the forms of our governments; for suspending our own legislatures, and declaring themselves invested with power to legislate for us in all cases whatsoever.

He has abdicated government here [*withdrawing his governors, and declaring us out of his allegiance and protection.*]

by declaring us out of his protection and waging war against us

He has plundered our seas, ravaged our coasts, burnt our towns, and destroyed the lives of our people.

He is at this time transporting large armies of foreign mercenaries to complete the works of death, desolation, and tyranny already begun with circumstances of cruelty and perfidy [] unworthy the head of a civilized nation.

scarcely paralleled in the most barbarous ages and totally

He has constrained our fellow citizens taken captive on the high seas to bear arms against their country, to become the executioners of their friends and brethren, or to fall themselves by their hands.

He has [] endeavoured to bring on the inhabitants of our frontiers the merciless Indian Savages, whose known rule of warfare is an undistinguished destruction of all ages, sexes and conditions [*of existence.*]

excited domestic insurrections among us, and has

[*He has incited treasonable insurrections of our fellow citizens, with the allurements of forfeiture and confiscation of our property.*]

He has urged cruel war against human nature itself, violating its most sacred rights of life and liberty in the persons of a distant people who never offended him, captivating and carrying them into slavery in another hemisphere, or to incur miserable death in their transportation thither. This piratical warfare, the opprobrium of INFIDEL powers, is the warfare of the CHRISTIAN king of Great Britain. Determined to keep open a market where MEN should be bought and sold, he has prostituted his negative for suppressing every legislative attempt to prohibit or to restrain this execrable commerce. And that this assemblage of horrors might want no fact of distinguished die, he is now exciting those very people to rise in arms among us, and to purchase that liberty of which he has deprived them, by murdering the people on whom he also obtruded them: thus paying off former crimes committed against the LIBERTIES of one people with crimes which he urges them to commit against the LIVES of another.]

In every stage of these oppressions we have petitioned for redress in the most humble terms: our repeated petitions have been answered only by repeated injuries.

A prince whose character is thus marked by every act which may define a tyrant is unfit to be the ruler of

free

a [] people [*who mean to be free. Future ages will scarcely believe that the hardness of one man adventured, within the short compass of twelve years only, to lay a foundation so broad and so undisguised for tyranny over a people fostered and fixed in principles of freedom.*]

an unwarrant-
able
us

Nor have we been wanting in attentions to our British brethren. We have warned them from time to time of attempts by their legislature to extend [a] jurisdiction over [*these our states.*] We have reminded them of the circumstances of our emigration and settlement here [*no one of which could warrant so strange a pretension : that these were effected at the expense of our own blood and treasure, unassisted by the wealth or the strength of Great Britain : that in constituting indeed our several forms of government, we had adopted one common king, thereby laying a foundation for perpetual league and amity with them : but that submission to their parliament was no part of our constitution, nor ever in idea, if history may be credited : and,*] we [] appealed to their native justice and magnanimity [*as well as to*] the ties of our common kindred to disavow these usurpations which [*were likely to*] interrupt our connection and correspondence. They too have been deaf to the voice of justice and of consanguinity, [*and when occasions have been given them, by the regular course of their laws, of removing from their councils the disturbers of our harmony, they have, by their free election, re-established them in power. At this very time too, they are permitting their chief magistrate to send over not only soldiers of our common blood, but Scotch and foreign mercenaries to invade and destroy us. These facts have given the last stab to agonizing affection, and manly spirit bids us to renounce for ever these unfeeling brethren. We must endeavor to forget our former love for them, and hold them as we hold the rest of mankind, enemies in war, in peace friends. We might have been a free and a great people together ; but a communication of grandeur and of freedom, it seems, is below their dignity. Be it so, since they will have it. The road to happiness and to glory is open to us too. We will tread it apart from them, and*] acquiesce in the necessity which denounces our [eternal] separation [] !

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We must
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and hold them
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kind, enemies
in war, in
peace, friends.

We therefore the representatives of the United States of America in General Congress assembled, [] do in the name, and by the authority of the good people of these *[states reject and renounce all allegiance and subjection to the kings of Great Britain and all others who may hereafter claim by, through, or under them; we utterly dissolve all political connection which may heretofore have subsisted between us and the people or parliament of Great Britain: and finally we do assert and declare these colonies to be free and independent states,]* and that as free and independent states, they have full power to levy war, conclude peace, contract alliances, establish commerce, and do all other acts and things which independent states may of right do.

And for the support of this declaration, [] we mutually pledge to each other our lives, our fortunes, and our sacred honor.

The world has long since passed judgment upon the relative merits of these two forms of the American Declaration, and awarded the palm of pre-eminence to the primitive one. The amendments obliterated some of its boldest and brightest features; impaired the beauty and force of others; and softened the general tone of the whole instrument.

The Declaration thus amended in Committee of the Whole, was reported to the House on the 4th of July, agreed to, and signed by every member present, except Mr. Dickinson. On the 19th of July, it was ordered to be engrossed on parchment; and on the 2d of August, the engrossed copy, after being compared at the table with the original, was ordered to be signed by every member.

On the same day that Independence was declared, Mr. Jefferson was appointed one of a committee of three, to devise an appropriate Coat of Arms for the republic of the 'United States of America.'

The Declaration was received by the people with unbounded admiration and joy. On the 8th of July it was promulgated, with great solemnity, at Philadelphia, and saluted by the assembled multitude, with peals on peals of acclamation. On the 11th it was published in New-York, and proclaimed before the American Army, which, at that time, was assembled in the vicinity, with all the

pomp and circumstance of a military pageant. It was received with delirious exultation by the collected chivalry of the Revolution. They filled the air with their shouts, and shook the earth with the thunders of their artillery. In Boston, the popular transports were unparalleled. The national manifesto was proclaimed from the balcony of the Capitol, in the presence of all the authorities, civil and military, and of an innumerable concourse of people. An immense banquet was prepared, at which the authorities, and all the principal citizens attended, and drank toasts expressive of enthusiastic veneration for liberty, and of unmingled detestation of tyrants. The rejoicings were continued through the night, and every ensign of royalty, that adorned either the public or private edifice, was demolished before morning.

Similar demonstrations of patriotic enthusiasm, crowned the reception of the Declaration in all the cities and chief towns of the continent. Its progress through the land was like the triumphal procession of a mighty deliverer.

In Virginia, the annunciation was greeted with graver tokens of public felicitation. The Convention decreed, that the name of the King should be expunged from the liturgy of the established religion. All the remaining emblems of royal authority, were superseded by appropriate representatives of the new order of things. A new Coat of Arms for the Commonwealth, was immediately ordered. Several devices were proposed. One by Dr. Franklin, with the motto, "Rebellion to Tyrants, in obedience to God." Another by Mr. Jefferson, with the characteristic motto, "*Rex est qui regem non habet.*" And another by Mr. Wythe, which was adopted. It represented Virtue as the tutelary Genius of the Commonwealth, robed in the drapery of an Amazon, resting one hand upon a spear, and holding with the other a sword, trampling upon Tyranny, personified by a prostrate man, with a crown fallen from his head, bearing in one hand a broken chain, and in the other a scourge. Around the exergon were inscribed, at the top, Virginia. and underneath, the words, *Sic semper tyrannis*. On the reverse, was charactered a group of figures; *Libertas* in the centre, with her wand and cap; on one side Ceres, with her horn of plenty in the right hand, and a sheaf of wheat in the left; on the other side appeared Eternity, with the Globe and Phœnix. Around the exergon were inscribed these words, *Deus nobis hæc otia fecit.*

Such were some of the immediate influences of this immortal State-paper. But who shall describe its ulterior influences, physical, moral, and political, upon America, and upon all the fellow nations of the earth? Those which have already transpired, have been stupendous; some beneficent, others calamitous, yet all the harbingers of final glory: and those which have yet to transpire, the human mind can scarcely exaggerate to its vision. Volumes might be written in illustrating the agency of this teeming record, in advancing the well-being of nations, and augmenting the amount of human happiness. That portion of its blessings, which descended to its immediate inheritors, or which is possessed by the present inhabitants of the globe, comprises but a partial account in the estimate. It is the sun of the political universe. It is the focus of revolutionary light and heat, from which have issued those kindred rays and impulses, which have warmed, and enlightened, and agitated, and plunged into kindred convulsions, for the recovery of their just rights, the oppressed, king-bestridden, and law-ridden people of other countries, in almost every part of the earth. It laid the foundation for the first great and successful experiment of free government; of a government, whose career of success has been so unexampled, as to have already secured to it a pre-eminence of character among the Powers of the earth; and whose greatness in the scale of empire, will one day enable it, if it should so please, to dictate to all other governments. The effects of this potent example, were soon visible, in that tremendous struggle for political reformation, which shook to its centre the gigantic empire of France,—in those less formidable ones, which more recently, and at fitful intervals, have shaken the whole continent of South America,—and in that steady and peaceable process of regeneration, which at this moment, is undermining the strong pillars of that Power, from which was hewn the first member in the sisterhood of Free States. The principles of the Declaration of Independence, have occasioned this great and growing change in the political destinies of the world. The knowledge of that renowned charter has reared, and is fast rearing, disciples to its master, among the darkest portions of civilized humanity. It has been heard and felt, wherever the art of printing has communicated it to the mind of man; nor will the period arrive when it shall cease to be felt and feared, until the last

tyrant shall have been tumbled from his throne, and the last throne shivered, by the lightning of its power.

The Author of the Declaration himself, was not unconscious of the amazing consequences which would flow from it, when thus ushered before the world, as the simultaneous fiat of the whole people. On the contrary, they formed the theme of his incessant imaginings, and of his proudest prognostications. The emancipation of the whole family of nations, as the ultimate result, was the immovable conviction of his mind. It was in unison with the reveries of his early youth ; and experience but confirmed him in the animating presentiment. Stirring effusions upon this topic, abound in his private memoranda, and familiar correspondence with his friends. Speaking of the French Revolution, as the first link in the chain of great consequences, he says, in his notes upon that ill-starred drama :

“As yet, we are but in the first chapter of its history. The appeal to the rights of man, which had been made in the United States, was taken up by France, first of the European nations. From her the spirit has spread over those of the South. The tyrants of the North have allied indeed against it ; but it is irresistible. Their opposition will only multiply its millions of human victims ; their own satellites will catch it, and the condition of man will be finally and greatly meliorated. This is a wonderful instance of great events from small causes. So inscrutable is the arrangement of causes and consequences in this world, that a two-penny duty on tea, unjustly imposed in a sequestered part of it, changes the condition of all its inhabitants.”

Again, in a letter to John Adams, in 1823, the kindling prophecy is pursued, with the eloquence and the assurance, seemingly, of conscious inspiration.

“The generation which commences a revolution rarely completes it. Habituated from their infancy to passive submission of body and mind to their kings and priests, they are not qualified, when called on, to think and provide for themselves ; and their inexperience, their ignorance and bigotry, make them instruments often, in the hands of the Bonapartes and Iturbides, to defeat their own rights and purposes. This is the present situation of Europe and Spanish America. But it is not desperate. The light which has been shed on mankind by the art of printing, has eminently changed the condition of the world. As yet, that light has dawned on the middling classes only of the men in Europe. The kings and the rabble, of equal ignorance, have not yet received its rays ; but it continues to

spread, and while printing is preserved, it can no more recede than the sun return on his course. A first attempt to recover the right of self-government may fail, so may a second, a third, &c. But as a younger and more instructed race comes on, the sentiment becomes more and more intuitive, and a fourth, a fifth, or some subsequent one of the ever-renewed attempts will ultimately succeed. In France, the first effort was defeated by Robespierre, the second by Bonaparte, the third by Louis XVIII., and his holy allies ; another is yet to come, and all Europe, Russia excepted, has caught the spirit ; and all will attain representative government, more or less perfect. This is now well understood to be a necessary check on Kings, whom they will probably think it more prudent to chain and tame, than to exterminate. To attain all this, however, rivers of blood must yet flow, and years of desolation pass over ; yet the object is worth rivers of blood, and years of desolation. For what inheritance so valuable, can man leave to his posterity ? The spirit of the Spaniard, and his deadly and eternal hatred to a Frenchman, give me much confidence that he will never submit, but finally defeat this atrocious violation of the laws of God and man, under which he is suffering ; and the wisdom and firmness of the Cortes, afford reasonable hope, that that nation will settle down in a temperate representative government, with an executive properly subordinated to that. Portugal, Italy, Prussia, Germany, Greece, will follow suit. You and I shall look down from another world on these glorious achievements to man, which will add to the joys even of heaven."

Such are the ulterior tendencies and probable results of this stupendous Act. Sufficient has already elapsed, to demonstrate, that the Author was scarcely more happy in originating its principles, than in predicting its glorious consequences. The 'achievements' of the last twelvemonth, would 'add to the joys of heaven,' should his spirit continue its cognizance of the scene of its continued beneficence.

But aside from its magnificent results, immediate and remote, past and prospective, the Declaration itself is a production of the highest order of merit. Of its bold, dignified, and comprehensive diction, its vigour and condensation of thought, its vivid and impetuous recital of wrongs, and its solemn and masculine reclamations of right, it would be superfluous to speak. These topics have already exhausted, a thousand times over, the very fountains of eulogy. Its great and distinguishing excellence lies in its *political* character ; and in order to put a just estimate upon its merits in this respect, it is necessary to travel back to the period when it was pro-

mulgated. Political philosophy was then unborn. In the wide range of speculative disquisition, no writer had advanced to the threshold of the true economy of government. All was comparative gloom and barbarism. The doctrine of the divine right of Kings, and of the necessity of passive submission to their control, was the universally accredited theory. Fatalism in politics was as predominant and unquestioned, as was the dogma of papal infallibility, before the Reformation; and it was deemed as impious to consult reason in reference to the one, as the other. Governments were considered as instituted for the benefit of the governing few; and the people as mere instruments in their hands, and for their aggrandizement. Popular rights was a term not comprehended in the political vocabularies of that day. All that the people enjoyed they were supposed to hold by virtue of *concession* from the authorities ordained by God to rule over them. Isolated writers in France and England, had indeed broached some substantial improvements upon the established system; but their innovations were cautious and comparatively superficial. The reformation of the mass of heresies and vagaries, was reserved for the great American Sage. His antecedent writings had given the world a foretaste of his principles and his power; but the occasion had not arrived, which was to qualify them to make head against the opposing torrent. His Declaration, therefore, establishes the era in history, of the character which really belonged to him at a much anterior date. By the extraordinary circumstances which called it into existence, he was enabled to usher his principles upon the attention of mankind, with such resistless eclat, as to surmount instantaneously, the impediments, which, in the ordinary course of things, centuries could not have dissipated. He rode into the critical station of a radical political reformer, upon the overwhelming tide of popular opinion. But even then, nine-tenths of the moral and physical power of the world, was in the opposite scale; and the enterprise was a hazardous one. Local circumstances, however, overbalanced the vast disproportion of these forces. The isolated position of the scene of operation, disjoined from the rest of the world by a wide expanse of ocean, rescued the experiment from the crushing influence of the Mammoths and Leviathans of the East. Success attended this masterly political effort; and its Author became the founder of a new school in the ethics of government. The prin-

ciples of this school have already regenerated the condition of one hemisphere, and will ultimately dictate to the civilized world.

The Declaration of Independence, therefore, established a great epoch in the science of government. By it, the whole system of the ancient regime, which was purely artificial, was exploded, and superseded by an entire new code, founded in reason and morality. The principles of the former, were *reversed*. All power was declared to be *inherent*, originally, in the people, and *derived*, secondarily, to the rulers. *They*, instead of being the masters, were declared to be the servants of the people. It proclaimed the great truths, that 'governments are instituted for the benefit of the people,' and that 'they derive their just powers from the consent of the governed.' The whole of this pure theory rested upon the fundamental axiom of the *native equality of the human race*. This, it will be recollected, was a favorite maxim of the Author in early youth, and formed the basis of his first effort of legislation. In the same spirit, it is placed at the head of the imposing catalogue of 'self-evident truths,' with which he prefaces the present performance.

There is another prominent feature in this paper, which is strongly illustrative of the writer. Consideration is especially due to it, since it has sometimes been cited in derogation of the instrument, whereas it constitutes one of its peculiar beauties. It is the apparent asperity, with which it treats the personal character of the King, and the industrious precision, with which it charges upon him exclusively, the complicated calamities of the Colonies. Those who recollect the ground originally assumed, and uniformly maintained by Mr. Jefferson, on the controverted question of the relation between Great Britain and the Colonies, will not derive any unfavorable impressions from this objection. On the contrary, they will be struck with the admirable consistency of his opinions upon this point, through every stage of the controversy, from first to last. It will be remembered, that the only link of connection which he recognized, as subsisting between the Colonies and the mother country, was that of an identity of Sovereign. Consequently, the only political tie, which it was the business of the Declaration to sever, was that which united us to the King himself. Parliament is not so much as mentioned in the whole instrument; he had never admitted its authority; consequently he had nothing to do

with it, nor with the British Government, in the aggregate. But allegiance to the Crown he had acknowledged, in common with all the Colonists, and scrupulously adhered to, down to the epoch of the last extremities. Conformity to the principles upon which he rested the dispute, required that he should restrain the responsibility of all that had been perpetrated, to the Monarch alone. And he accordingly charged upon him, indiscriminately, all the malversations of the Government; either as the sole and separate agent, or when abuses of Parliament are referred to, as "combining with others" in "acts of *pretended* legislation." How beautifully then, does this mode of procedure tally with the line of opinion and conduct, which he had uniformly observed before. In his first political essay, he had narrowed the issue down to the same point, to which he now confined it. But at that time, the opinion was deemed heterodox and chimerical; only a single individual could be found to agree with him; his proposition was rejected by the Assembly to which it was offered, and the middle ground taken. Congress, indeed, were now prepared to adopt the same principle; not however, without expunging that portion* of the original instrument, which went to declare they had always been of the same opinion. A simple regard to truth required this exception to the primitive form.

From the imperfect view thus presented, of the character of this document, the reader will be qualified to form some idea of the great principles of the American Revolution; and to detect from among its sainted constellation of movers and counsellors, the mind which had the predominant agency in originating, illustrating and establishing those principles. An attentive reflection upon those salient and governing points in the Revolution, which decided its political direction and character, will detect a strong discrimination of doctrine among its principal actors, and will assign to Thomas Jefferson the distinction of pre-eminence, in the management of its moral power. He had constantly pre-occupied its path. He had anticipated all its cardinal decisions, at a great distance; prescribed the terms of most of them; and was emphatically the father of the principles, which governed in the greatest and final one. His Declaration, backed by the om-

* See Declaration. The paragraph begins, 'Nor have we been wanting in attentions to our British brethren.'

nipotence of the occasion, breathed those principles into the Nation, and consummated their eternal ascendancy. These principles, thus potently transfused and nationalized, gave soul and body to the American Revolution, and distinguished it from all its predecessors in the earth, by making it a revolution of mind, and not of mere brute force. Powerful affinities co-operated to produce this great moral transformation, but the transcendent influence of particular characters can never be disguised or overlooked, in the estimate of causes. With the developments, which are daily multiplying, of the councils and transactions of that prolific era, all reputed history will be confounded, if it is not already, in the relative importance which it has attached to its political, and its military chieftains. In vain had the immortal Washington led the armies of the Revolution to the 'field of honorable death,' and performed such miracles of valor and martial enterprise, had not the moral condition of the Country kept pace with its physical conquests. In vain had the particular rights in dispute been secured, by a decision upon the final appeal, and our Independence, to all common intent, been achieved, had not a coterminous change been effected in the minds, feelings, habits and dispositions of the people, preparatory to a fundamental reformation in the principles and practices of their Government. The emancipation of the American Colonies from the parent empire, might have been a mere feat of arms, great indeed, but scarcely worth the cost; yet how inconceivably important the event, with the concomitant and resulting benefits, which were actually superinduced. And in the mighty work of securing these benefits, who led the way? Who, on all occasions involving the fate of first principles, uniformly took the laboring oar, and had the singular felicity to see his opinions finally and completely americanized?

The generation has passed away, which could number a solitary dissentient in the decision of these questions. The time has been, however, in which the temper and animosity of the popular mind, engendered by the fierce and angry collisions upon those very principles, presented a disreputable contrast in the state of feeling on this subject. Upon the organization of the government, a strong party arose which strangely misconceived the genuine text of the Revolution. Under this infatuation, they first attempted to bring the principles themselves into disrepute, and afterwards, on perceiving their

inherent soundness and infinite merit, to detract from the generally admitted title of Mr. Jefferson as their originator and principal promoter. Not only were the doctrines of the Declaration pronounced common-place, and downright plagiarisms, but the authorship of the production itself was brought in question. The newspapers, even of a very modern date,* teem with disgraceful ribaldry upon this topic. To these pusillanimous assaults upon his just reputation, he opposed no other barrier, than that of 'the dignified contempt by which he has consigned to oblivion, all the spoken and written scurrility of his enemies.'† Among the multitude of sacrilegious strictures upon the primitive palladium of human liberty, and its canonized framer, the most elaborate attempt at disparagement, appeared in the unnatural form of a fourth of July oration, in 1823, by Timothy Pickering. The political opinions advanced in this critique, being matters of mere private speculation, do not deeply concern us; but the material inaccuracies of fact which it contains, relative to the Declaration of Independence, require attention; more especially since they have obtained an extensive currency with

* The following extracts from leading anti-republican journals, so late as the year 1822, will suffice to exhibit the general character of that warfare, which for thirty years, was directed against the silent and unresisting claims of the Author of the Declaration. The first is from the Philadelphia Union, and the second from the New-York Commercial Advertiser.

"We have long been acquainted with the facts alluded to in the following article from the Federal Republican. We have seen Mr. Jefferson's draught of the Declaration of Independence, *scored and scratched like a school boy's exercise*. When Mr. Schaeffer shall comply with his promise to publish the documents relating to this subject, the *jackdaw will be stript of the plumage, with which adulation has adorned him, and the crown will be placed on the head of a real patriot*."

"The old controversy relative to Mr. Jefferson's agency in drafting the Declaration of Independence, is again revived, in the southern papers, and, as is usual in most controversies, both parties are in error—the one denying him all credit in regard to the authorship of that splendid document, and the other bestowing it all upon him. It appears to be the common opinion that Mr. Jefferson was the exclusive author of the Declaration of 1776; and he is every year toasted as such in every part of the country. But this is not the fact. Mr. Jefferson was one of the committee appointed to prepare the draught, and he drew the original paper; but his co-adjutors were so little satisfied with the performance, *that it was worked over and altered almost from beginning to end*. Many alterations of language were made, much was stricken out, *as much more added*; so that when completed it *bore but little resemblance to Mr. Jefferson's draught*. We have had for several years a copy of this document, which shows at one view, the original draught as made by Mr. Jefferson, the erasures and alterations that were made, and also the additions of the Committee. *Mr. Jefferson deserves as much credit, for the share he took in this labor, as any other member of the Committee, and no more*."

† Edinburgh Review, 1814.

the public. The best answer, however, to this diatribe of Pickering, is found in a confidential letter of Mr. Jefferson, to his bosom friend Madison; than which, no example of familiar correspondence could be given, which should illustrate the character of the writer in a more endearing light.

“You have doubtless seen Timothy Pickering’s fourth of July observations on the Declaration of Independence. If his principles and prejudices, personal and political, gave us no reason to doubt whether he had truly quoted the information he alleges to have received from Mr. Adams, I should then say, that in some of the particulars, Mr. Adams’ memory has led him into unquestionable error. At the age of eighty-eight, and forty-seven years after the transactions of Independence, this is not wonderful. Nor should I, at the age of eighty, on the small advantage of that difference only, venture to oppose my memory to his, were it not supported by written notes, taken by myself at the moment and on the spot. He says, ‘The committee of five, to wit, Doctor Franklin, Sherman, Livingston, and ourselves, met, discussed the subject, and then appointed him and myself to make the draught; that we, as a sub-committee, met, and after the urgencies of each on the other, I consented to undertake the task; that, the draught being made, we, the sub-committee, met, and conned the paper over, and he does not remember that he made or suggested a single alteration.’ Now these details are quite incorrect. The committee of five met; no such thing as a sub-committee was proposed, but they unanimously pressed on myself alone to undertake the draught. I consented; I drew it; but before I reported it to the committee, I communicated it *separately* to Dr. Franklin and Mr. Adams, requesting their corrections, because they were the two members of whose judgments and amendments I wished most to have the benefit, before presenting it to the committee; and you have seen the original paper now in my hands, with the corrections of Doctor Franklin and Mr. Adams interlined in their own hand-writings. Their alterations were two or three only, and merely verbal. I then wrote a fair copy, reported it to the committee, and from them, unaltered, to Congress. This personal communication and consultation with Mr. Adams, he has misremembered into the actings of a sub-committee. Pickering’s observations, and Mr. Adams’ in addition, ‘that it contained no new ideas, that it is a common-place compilation, its sentiments hacknied in Congress for two years before, and its essence contained in Otis’ pamphlet,’ may all be true. Of that I am not to be the judge. Richard Henry Lee charged it as copied from Locke’s *Treatise on Government*. Otis’ pamphlet I never saw, and whether I had gathered my ideas from reading or reflection I do not know. I know only that I turned to neither book nor pamphlet while writing it. I did not consider it

as any part of my charge to invent new ideas altogether, and to offer no sentiment which had ever been expressed before. Had Mr. Adams been so restrained, Congress would have lost the benefit of his bold and impressive advocations of the rights of Revolution. For no man's confident and fervent addresses, more than Mr. Adams', encouraged and supported us through the difficulties surrounding us, which, like the ceaseless action of gravity, weighed on us by night and by day. Yet, on the same ground, we may ask what of these elevated thoughts was new, or can be affirmed never before to have entered the conceptions of man?

Whether, also, the sentiments of Independence, and the reasons for declaring it, which makes so great a portion of the instrument, had been hacknied in Congress for two years before the 4th of July, '76, or this *dictum* also of Mr. Adams be another slip of memory, let history say. This however, I will say for Mr. Adams, that he supported the Declaration with zeal and ability, fighting fearlessly for every word of it. As to myself, I thought it a duty to be, on that occasion, a passive auditor of the opinions of others, more impartial judges than I could be, of its merits or demerits. During the debate, I was sitting by Doctor Franklin, and he observed that I was writhing a little under the acrimonious criticisms on some of its parts; and it was on that occasion, that by way of comfort, he told me the story of John Thomson, the hatter, and his new sign.

Timothy thinks the instrument the better for having a fourth of it expunged. He would have thought it still better, had the other three fourths gone out also, all but the single sentiment (the only one he approves), which recommends friendship to his dear England, whenever she is willing to be at peace with us. His insinuations are, that although 'the high tone of the instrument was in unison with the warm feelings of the times, this sentiment of habitual friendship to England should never be forgotten, and that the duties it enjoins should *especially* be borne in mind on every celebration of this anniversary.' In other words, that the Declaration, as being a libel on the government of England, composed in times of passion, should now be buried in utter oblivion, to spare the feelings of our English friends and Angloman fellow-citizens. But it is not to wound them that we wish to keep it in mind; but to cherish the principles of the instrument in the bosoms of our own citizens; and it is a heavenly comfort to see that these principles are yet so strongly felt, as to render a circumstance so trifling as this little lapse of memory of Mr. Adams', worthy of being solemnly announced and supported at an anniversary assemblage of the nation on its birth-day. In opposition, however, to Mr. Pickering, I pray God that these principles may be eternal, and close the prayer with my affectionate wishes for yourself of long life, health and happiness."

Among the articles of information, which Mr. Pickering alleges to have received from Mr. Adams, he should have included the oft repeated declaration of the latter, that 'no man, but the one who did, could have produced that immortal paper.' He might also have cited the well known fact, that he retained to the last, his preference for the primitive reading. With respect to the particular circumstances attending its preparation, the Notes happily taken by Mr. Jefferson at the time, and the original copy of the Declaration, in the hand writing of the author, found among his papers at his death, with the interlineations in the hand writings of Mr. Adams and Dr. Franklin, are placed in one scale, and the *imputed* recollections of an octogenarian, in the other ; and the world must decide between them. The assertion, also, that the doctrines of the Declaration had been hacknied in Congress, for two years before, is contradicted by the whole tenor of history. Nothing had appeared like it, in the range of political disquisition, except his own previous essays ; the most important of which, had been rejected as premature and extravagant, but two years before, by the identical Assembly which issued the *first* instructions recommendatory of Independence. All historians concur in testifying, that total emancipation was not contemplated until the Spring of '76.* And Mr. Adams in '75 had declared, "There is not a man in the province, among the whigs, nor ever was, who harbors a wish of Independence." Again, "Our patriots have never determined or desired to be independent States." How then could the sentiments of the Declaration have been hacknied, in Congress, for two years before ? So far from it, the whole aim and object of that body, anterior to the Spring of '76, had been reconciliation ; and all its consultations and discussions had been conducted upon that basis. The reasons and rights of Revolution existed, it is true, in the fundamental principles of colonization. But who, let it be remarked, was the earliest to discover, illustrate, and enforce those principles ? Historic fidelity will say, the Author of the Declaration himself, in his masterly dissertation upon the doctrine of expatriation, &c. in '74 ; in which he constructed the entire, and the only tenable theory of Colonial rights, then deemed so treasonable and revolutionary as to subject him to the ostracism of the British Parliament.

* See Gordon, Ramsay, Marshall, Botta, &c.

Well might he then magnanimously declare, in noticing the vindictive maraudings upon his reputation, 'let history speak.' Nor will his confidence in the integrity of that umpire, be deceived. Impartial generations will rely with more confidence, upon the pure text of contemporaneous chronicles, than upon the gratuitous constructions, contortions and surmises of modern critics and commentators. The civil and political history of that renowned race has never been presented in a just and adequate light ; its monuments, too, are fast crumbling away ; but it is hoped, that enough has been preserved, with the aid of competent hands, to rescue from reproach at least, an age, which united the greatest moral endowments to the greatest power of circumstances, and had a larger share in shaping the destinies of mankind, than any other that has yet appeared.

The term for which Mr. Jefferson had been elected to Congress, expired on the 11th of August, '76 ; and he had communicated to the Convention of Virginia, in June preceding, his intentions to decline a re-appointment. But his excuses were overruled by that body, and he was unanimously re-elected. On receiving intelligence of the result, gratifying as it was in the highest degree, he addressed a second letter to the chairman of the Convention, in which he adhered to his original resolution,—as follows :

" I am sorry the situation of my domestic affairs renders it indispensably necessary, that I should solicit the substitution of some other person here, in my room. The delicacy of the House will not require me to enter minutely into the private causes which render this necessary. I trust they will be satisfied I would not have urged it again, were it not unavoidable. I shall with cheerfulness continue in duty here till the expiration of our year, by which time I hope it will be convenient for my successor to attend."

He continued in Congress until the 2d of September following, when, his successor having arrived, he resigned his seat and returned to Virginia.

Thus closed the extraordinary career of this illustrious Reformer in the Continental Congress. He had been in actual attendance upon that renowned Legislature, about nine months only, in all ; and yet he had succeeded in impressing his character, in distinct and legible forms, upon the whole inchoate empire. The result is astonishing when considered in connection with his immature age. He had, at this time, attained only his thirty-third year, and was

the youngest man but one, in the session of '76. The example is without a parallel in the personal annals of the world.

We have been restrained by our design, to the capital and distinguishing points in his course. The minor features of his service, while engaged in conducting the general administration, were proportioned to the same standard ; but they are shorn of all interest by the overshadowing importance, which attaches to his gigantic *chef de' ouvres* in the sphere of Revolution. In the multiplied operations of a subordinate character, which engaged the attention of the House, he sustained a corresponding prominence. To estimate the extent of his labors, it is only necessary to turn over the journals of Congress. In constituting the committees of importance it was the policy, in general, to put Virginia at the head ; and the effect of this policy was to throw him into the situation of Chairman, unusually often. No member, probably, served on more committees, or executed a greater amount of business, in proportion to his term of service, than he did. The union of uncommon practical facility, with peculiar theoretical acuteness and propensity, is an anomaly in the constitution of man. It is proverbial, however, that he displayed an aptitude no less original and surprising in the ordinary details of legislation, than in the high concerns of an abstract and metaphysical nature, which were committed to him.

The retirement of Mr. Jefferson from a stage of action, on which he had performed such prodigies of Revolution, in the zenith of human popularity and power, and at the first crisis of Independence, may appear unaccountable, with the lights already in possession of the reader. The causes which he assigned, seem clearly disproportioned to the effect, reasoning from all analogy, applicable to himself alone, or the human character generally ; and compel us to resort to more competent aids of revelation, for a satisfactory solution of the mystery. The predominant motive, which dictated his resignation, but which his modesty would not permit him to urge to the Convention, is found inserted among his private 'Memoranda.' It is alike curious and honorable. He says : "The new government (in Virginia) was now organized ; a meeting of the Legislature was to be held in October, and I had been elected a member by my county. *I knew that our legislation, under the regal government, had many very vicious points which ur-*

gently required reformation ; and I thought I could be of more use in forwarding that work. I therefore retired from my seat in Congress," &c. The whole secret of the transaction is here unveiled, and is singularly in unison with the reigning attribute of his character. Those who recollect the irrepressible anxiety which he felt for Virginia, while in the crisis of her transition from the monarchical to the republican state, and the severe contribution which he made upon his own industry, towards securing the greatest practicable measure of freedom and liberality in the act, will be impressed with the admirable coincidence of purpose, which influenced his present determination. The new government in the first province of free empire, was now fairly put in motion ; and he felt an invincible desire to participate in the measures of the first republican Legislature under it. Every thing, he conceived, depended upon the stamp of political unction that should be impressed upon the new institutions of a State government, which was to set the example in the career of republican legislation, and which constituted so influential a member of the incipient confederacy. The principles of her present code were incompatible with the enjoyment of any considerable benefits under the change of Administration, and required a fundamental revision and reduction to a consistent standard. The English common law, with its odious and despotic refinements of feudal origin, was in full force : many of the British statutes, of the most obnoxious character, still binding upon them ; the Virginia statutes themselves scarcely less aristocratic, and hostile to well-regulated liberty ; presenting, in all, an unwieldy and vicious pile of legislation, civil and religious, which, in the mind of the political redeemer of men, embraced stronger attractions, and more imperious urgencies, than the scene which he had just immortalized with his labours. To have descended from an eminence in Congress, which placed him indisputably at the helm of the Revolution, to the subordinate station of representative to the municipal Assembly, was an act of magnanimous patriotism, of which history furnishes few examples. But he was impressed with the necessity of carrying into action, upon the generous flood of the national enthusiasm, all the sound principles which he meditated securing in the effort of emancipation ; and now he thought was the propitious moment for commencing the enterprise.

“The spirit of the times,” he said “may alter, will alter. Our rulers will become corrupt, our people careless. A single zealot may become persecutor, and better men be his victims. It can never be too often repeated, that the time for fixing every essential right, on a legal basis, is while our rulers are honest, and ourselves united. From the conclusion of this war we shall be going down hill. It will not then be necessary to resort every moment to the people for support. They will be forgotten, therefore, and their rights disregarded. They will forget themselves, but in the sole faculty of making money, and will never think of uniting to effect a due respect for their rights. The shackles, therefore, which shall not be knocked off at the conclusion of this war, will remain on us long, will be made heavier and heavier, till our rights shall revive or expire in a convulsion.”

With the special design, therefore, of heading, in person, the great work of political regeneration, which he had sketched for his country, and for mankind, he early signified his determination to relinquish his station in the National Councils; and was instantly thereupon elected to a seat in the Legislature of Virginia.

Before following him into that body, however, the order of time requires us to notice a singular mark of distinction conferred on him by Congress. He had been absent from Philadelphia but a few days, before he received the appointment of Commissioner to France, in conjunction with Dr. Franklin, to negotiate treaties of alliance and commerce with that government. Silas Dean, then in France, acting as agent for procuring military supplies, and for sounding the dispositions of the government towards us, was joined with them in the commission. The appointment was made on the last day of September, 1776. Greater importance was attached to the successful issue of the transaction, than to any other that had yet been meditated. The prevailing object of declaring Independence, had been to secure the countenance and assistance of foreign Powers; and towards France,—chivalrous, highminded France,—whose friendship and co-operation appeared the most likely to be obtained, the hopes of the country were undividedly directed.

If any thing could mark more unequivocally, the respect of Congress for the abilities of Mr. Jefferson, as manifested by this appointment, it was the fact of their having associated a young man of thirty-three, with a venerable philosopher of seventy, then the most distinguished civil character in America.

But the same reasons which influenced his retirement from Congress, induced him to decline accepting the foreign station also, as appears by the following letter addressed to the President of Congress.

“Williamsburg, October 11, 1776.

“Honorable Sir,—Your favor of the 30th, together with the resolutions of Congress, of the 26th ultimo, came safe to hand. It would argue great insensibility in me, could I receive with indifference, so confidential an appointment from your body. My thanks are a poor return for the partiality they have been pleased to entertain for me. No cares for my own person, nor yet for my private affairs, would have induced one moment’s hesitation to accept the charge. But circumstances very peculiar in the situation of my family, such as neither permit me to leave, nor to carry it, compel me to ask leave to decline a service so honorable, and, at the same time, so important to the American cause. The necessity under which I labor, and the conflict I have undergone for three days, during which I could not determine to dismiss your messenger, will, I hope, plead my pardon with Congress; and I am sure there are too many of that body to whom they may with better hopes confide this charge, to leave them under a moment’s difficulty in making a new choice. I am, sir, with the most sincere attachment to your honorable body, and the great cause they support, their and your most obedient, humble servant.

But a more adequate and interesting revelation of his motives, than is contained in the above letter, is found among his private Memoranda. After repeating the domestic causes already stated, he says: “*I saw, too, that the laboring oar was really at home, where much was to be done, of the most permanent interest, in new-modelling our governments, and much to defend our fanes and firesides, from the desolations of an invading enemy, pressing on our country in every point. I declined, therefore, and Dr. Lee was appointed in my place.*”

CHAPTER V.

Mr. Jefferson took his seat in the Legislature of Virginia, on the 7th of October, 1776, the opening day of the session. The first object of reform, which arrested the attention of his enquiring mind, was the Judiciary System ; the organization of which, upon the broad basis of reason and common sense, struck him as a measure of superlative importance. Besides being indispensable, in great part, to meet the external revolution of the government, such a scheme of improvement, was eminently calculated to attach the popular bias to the new order of things,—which should always be the first business of the Reformer. In the French Revolution, for instance, the principle of *a la mode* simply, which arranged all the handsome young women on the side of democracy, was an engine of more power in that Nation, than the two hundred thousand men of the King. But the potent enthusiasm of new opinions, will subside with the novelty of them, and expire in a more potent revulsion, unless fortified by the gradual attainment of such real advantages as are competent to satisfy the reasonable anticipations of the adherent multitude. No man had studied, with more fidelity, the operations of the human mind, or knew how to control them with more certainty and effect, than Mr. Jefferson. He was less adapted than many others, to raise the tempest, but no one was better fitted to ride on, and direct it. He was clearly the magician of the age in this way ; and the secret of his power lay in his mode of exerting and applying it. *The cherishment of the people* was the vital principle of his policy, and the spring of his unprecedented success. The object, which he was now about to forward, was an eminent illustration of this wise policy. The administration of justice, is a subject of profound and universal concernment. It comes home to the ‘business and bosoms of men.’ The measure which should engraft it, in sound and judicious forms, upon the infant body politic, would be an example of disinterested reform, that would concentrate, at once, the energies of popular favor.

On the 11th of October, therefore, he obtained leave to bring in a Bill for the establishment of Courts of Justice. The proposition

was referred to a committee, of which he was chairman. He drafted the ordinance ; submitted it to the committee, by whom it was approved ; and reported it to the House, where, after passing through the ordinary course, it was adopted with unanimity.

The system proposed by Mr. Jefferson, was simple in its organization, and highly republican in its spirit. It is retained, essentially unimpaired, in the existing code of Virginia. It established the model for succeeding Legislatures, in the different States, as they successively proceeded to the same duty ; and its main features are observable in the Judiciary Systems of all our State governments, at the present day.

It divided the State into counties, and erected three distinct grades of Courts—County, Superior, and Supreme. The quality and extent of jurisdiction, prescribed to each grade, were similar to the prevailing divisions on that subject, in the United States. The trial by jury was guarded with extreme circumspection. In all questions of fact, or of fact and law combined, the reference to a jury was made imperative in the Courts of Law ; and the framer of the bill had designed to make it imperative also, in the Court of Chancery ; but the provision was defeated in the House, by the introduction of a discretionary clause, on motion of Mr. Pendleton, a gentleman of high English prejudices. The consequence has been, that as no suitor will say to his judge, ‘ Sir, I distrust you, give me a jury,’ juries are rarely, perhaps never, seen in that Court, but when ordered by the Chancellor of his own accord.

On the following day, October 12, he brought forward his celebrated Bill for the abolition of the Law of Entails. This was a cardinal measure, and a bold one for the political semi-barbarism of that age. Nor could a body of men have been easily selected, upon whose sensibilities the proposition would have grated with more harshness, than upon the refined aristocracy of a Virginia Assembly. The strong lines of discrimination, which were impressed upon the society of Virginia, during the early stages of the settlement, are celebrated in history ; nor has the genius of her republican institutions been successful, as yet, in obliterating those artificial and dissocializing distinctions, or in extinguishing the high aristocratical spirit which they engendered. In the earlier times of the Colony, when lands were to be obtained for little or nothing, certain provident individuals procured large grants ; and, desirous of founding great

families for themselves, settled them on their descendants in fee tail. The transmission of these estates from generation to generation, in the same name, raised up a distinct set of families, who, being privileged by the law, in the perpetuation of their wealth, were thus formed into a Patrician order, distinguished by the splendor and luxury of their establishments. This order, having in process of time, engulfed the greater part of the landed property, and with it, the political power of the Province, remained *stationary*, in general, on the grounds of their forefathers; for there was no emigration to the westward in those days. The Irish, who had gotten possession of the valley between the Blue-Ridge and the North Mountain, formed a barrier over which none ventured to leap; and their manners presented no attractions to the opulent lowlanders to settle among them.

“In such a state of things,” says Mr. Jefferson, “scarcely admitting any change of station, society would settle itself down into several *strata*, separated by no marked lines, but shading off imperceptibly from top to bottom, nothing disturbing the order of their repose. There were, then, first aristocrats, composed of the great landholders who had seated themselves below tide water on the main rivers, and lived in a style of luxury and extravagance, insupportable by the other inhabitants, and which, indeed, ended, in several instances, in the ruin of their own fortunes. Next to these were what may be called *half breeds*; the descendants of the younger sons and daughters of the aristocrats, who inherited the pride of their ancestors, without their wealth. Then came the pretenders, men who from vanity or the impulse of growing wealth, or from that enterprize which is natural to talents, sought to detach themselves from the plebeian ranks, to which they properly belonged, and imitated, at some distance, the manners and habits of the great. Next to these, were a solid and independent yeomanry, looking askance at those above, yet not venturing to jostle them. And last and lowest, a *feculum* of beings called overseers, the most abject, degraded, unprincipled race; always cap in hand to the dons who employed them, and furnishing materials for the exercise of their pride, insolence, and spirit of domination.”

By birth and fortune, Mr. Jefferson belonged to the aristocracy; but his intellectual tastes revolted him from the indolent and voluptuous habits which marked the lives of that order; and his political principles attached him, by early and indissoluble sympathies, to the solid and independent yeomanry, whom he represents as ‘looking askance’ at those above them.

"Those who labor in the earth," he early declared, "are the chosen people of God, if ever he had a chosen people, whose breasts he has made his peculiar deposit for substantial and genuine virtue. It is the focus in which he keeps alive that sacred fire, which otherwise might escape from the face of the earth. Corruption of morals in the mass of cultivators, is a phenomenon of which no age nor nation has furnished an example. It is the mark set on those, who not looking up to heaven, to their own soil and industry, as does the husbandman, for their subsistence, depend for it on the casualties and caprice of customers. Dependence begets subservience and venality, suffocates the germ of virtue, and prepares fit tools for the designs of ambition. This, the natural progress and consequence of the arts, has sometimes, perhaps, been retarded by accidental circumstances; but, generally speaking, the proportion, which the aggregate of the other classes of citizens bears, in any State, to that of its husbandmen, is the proportion of its unsound to its healthy parts, and is a good enough barometer whereby to measure its degree of corruption."

Impressed with these strong, unsophisticated views, he bewailed, with an incessant desire of redressment, the vitiated and fearfully anti-republican features, which characterized the social state of Virginia. The Law of Entails was the key-stone of this pernicious oligarchy. Besides locking up the lands of the Commonwealth in the hands of a fixed nobility, and thereby discouraging immigration, it legitimated the mastery of might over right, and in the most effectual forms. It was a weapon, which the law itself superadded to the multitude of natural means, to assist the strong in beating down and trampling upon the weak. It enabled the original and opulent proprietaries of the "Ancient Dominion," or their descendants, to perpetuate the unnatural supremacy of wealth, over talents and virtue, and to entail upon society *ad infinitum*, the most disastrous corruptions of the regal dynasty. Children became disobedient and dissipated, or relapsed into a state of indolent independence, when they knew they could not be ousted of their estates; creditors were defrauded of their honest debts; and bona fide purchasers were, in many instances, either deprived of their title altogether, or compelled to resort to courts of justice, to substantiate it against innumerable latent entails. The abolition of this prerogative, therefore, was rightly deemed by Mr. Jefferson, a first measure in republicanizing the institutions, manners and customs of his country.

"To annul this privilege," says he, "and instead of an aristocracy of wealth, of more harm and danger, than benefit, to society, to

make an opening for the aristocracy of virtue and talent, which nature has wisely provided for the direction of the interests of society, and scattered with equal hand through all its conditions, was deemed essential to a well ordered republic. To effect it, no violence was necessary, no deprivation of natural right, but rather an enlargement of it, by a repeal of the law. For this would authorise the present holder to divide the property among his children, equally, as his affections were divided; and would place them, by natural generation, on the level of their fellow citizens."

The Repeal was resisted, with desperation, by the sturdy and inexorable barons of the Legislature. It would doubtless amuse the modern mind, to have a peep at the arguments which were urged against a measure, so clearly dictated by every principle of justice and sound policy: but unfortunately they have not been preserved. The opposition was headed by Edmund Pendleton, speaker of the House, a gentleman of great capacity, but zealously attached to ancient establishments. He had been the *protege* of the lordly John Robinson, the acknowledged leader of the landed aristocracy, for half a century; and the mantle of his patron had fallen upon himself. His personal influence was gigantic, and his powers as a debater, were of a high order. For dexterity of address, fertility of resource, and parliamentary management, he was without a rival. With such a champion, some idea may be formed, of the character and force of the opposition. But their resistance was unavailing. Finding they could not overthrow the general principle of the bill, they took their stand on an amendment which they proposed,—instead of absolute abolition, to permit the tenant in tail, to convey in fee simple, if he chose it: and they were within a few votes of saving so much of the old law. But after a severe contest, the bill finally passed for entire abolition; and thus, to use the language of the Author, was "broken up the hereditary and high-handed aristocracy, which, by accumulating immense masses of property in single lines of family, had divided our country into two distinct orders of nobles and plebeians." The following short preamble introduces the act.

"Whereas, the perpetuation of property in certain families, by means of gifts made to them in fee taille, is contrary to good policy, tends to deceive fair traders, who give credit on the visible possession of such estates, discourages the holders thereof from taking care and improving the same, and sometimes does injury to the morals of youth, by rendering them independent of, and disobedient to

their parents ; and whereas, the former method of docking such estates *taille*, by special act of Assembly, formed for every particular case, employed very much of the time of the Legislature, and the same, as well as the method of defeating such estates, when of small value, was burthensome to the public, and also to individuals :

“ Be it therefore enacted, &c.

The next prominent heresy in the political economy of Virginia, which encountered the keen glance of the Reformer, was her Religious Establishment. This institution, he considered one of the most preposterous and deleterious remnants of the repudiated regency ; but his advances upon this subject, in all its breadth and bearings, had left the residue of mankind, with few exceptions, far in the rear of his conclusions.

The Church establishment of Virginia was of the Episcopal order, coeval with its first colonization, and, in all respects, a filiation of the parent hierarchy. The first settlers of the Colony were Englishmen, loyal subjects to their King and Church ; and the grant of Sir Walter Raleigh, contained an express proviso, that their laws ‘should not be against the true christian faith, now professed in the Church of England.’ They emigrated from the bosom of the mother church, ‘just at a point of time, when it was flushed with complete victory over the religious of all other persuasions. Possessed, as they became, of the powers of making, administering, and executing the laws, they showed equal intolerance in this country, with their Presbyterian bretheren, who had emigrated to the northern governments.’* As soon as the state of the Colony admitted, it was divided into parishes, in each of which was installed a minister of the Anglican church, endowed with a fixed salary in tobacco, a glebe house and land, with the other necessary appendages. To meet these expenses, all the inhabitants of the parish were assessed, whether they were, or not, members of the established Church. The integrity of the institution was guarded by the severest penalties against schismatics. Besides the Common Law provisions against *heresy*, making it a capital offence, punishable by burning, their own statutory enactments were scarcely less flagitious. Several acts of the Virginia Assembly, about the middle of the seventeenth century, had made it penal in parents to refuse to have their children baptised ; had prohibited the unlawful assembling of Quakers :

* Notes on Virginia, p. 216.

had made it penal for any master of a vessel to bring a Quaker into the State ; had ordered those already there, and such as should come thereafter, to be imprisoned till they should abjure the country ; prescribed a milder punishment for the first and second return, but death for the third ; had inhibited all persons from suffering their meetings in or near their houses, entertaining them individually, or disposing of books which supported their tenets. And so late as 1705, an act of Assembly was passed, declaring, if any person brought up in the Christian religion, denied the being of a God, or the Trinity, or asserted there were more Gods than one, or denied the Christian religion to be true, or the scriptures to be of divine authority, he was punishable on the first offence, by incapacity to hold any office or employment, ecclesiastical, civil, or military ; on the second, by disability to sue, to take any gift or legacy, to be guardian, executor, or administrator, and by three years imprisonment without bail.

Such is an epitome of the religious slavery, which existed at this time, in Virginia ; and ‘if no executions had taken place, as did in New England, it was not owing to the moderation of the Church, or spirit of the Legislature, as may be inferred from the laws themselves ; but to historical circumstances which have not been handed down to us.*’ The Convention which sat in May, ’76, in their Declaration of Rights, had indeed proclaimed it to be a truth, and a natural right, that the exercise of religion should be free ; “but when they proceeded,” says Mr. Jefferson, “to form on that Declaration, the ordinance of government, instead of taking up every principle declared in the Bill of Rights, and guarding it by legislative sanction, they passed over that which asserted our religious rights, leaving them as they found them.” The whole catalogue of spiritual oppressions, therefore, was reserved for himself to wipe away ; to effect which, was an enterprise of a more desperate character than any he had ever undertaken. The generous excitement of the Revolution, was a powerful auxiliary to him ; but the state of the country, in general, exhibited the strange phenomenon, of a people devoting their lives and fortunes, for the recovery of their civil freedom, and yet clinging, with idolatry, to a mental tyranny, tenfold more presumptuous and paralyzing, than all their external bonds.

* Notes on Virginia, p. 216.

Other moral causes, however, still more efficacious, combined with the spirit of the Revolution, to assist him in the arduous labor of spiritual disenchantment. These causes are summarily stated by himself.

“In process of time, however, other sectarisms were introduced, chiefly of the Presbyterian family; and the established clergy, secure for life in their glebes and salaries, adding to these, generally, the emoluments of a classical school, found employment enough in their farms and school rooms, for the rest of the week, and devoted Sunday only to the edification of their flock, by service, and a sermon at their parish church. Their other pastoral functions were little attended to. Against this inactivity, the zeal and industry of sectarian preachers had an open and undisputed field; and by the time of the Revolution, a majority of the inhabitants had become dissenters from the established church, but were still obliged to pay contributions to support the pastors of the minority. This unrighteous compulsion, to maintain teachers of what they deemed religious errors, was grievously felt during the regal government, and without a hope of relief. But the first republican Legislature, which met in 1776, was crowded with petitions to abolish this spiritual tyranny.”

Encouraged by the rising spirit of determination among the dissenters, and relieved from the complicated restraints which externally barred all improvement, under the monarchy, he commenced his attack on the dominant religion, early in the session—to wit, on the 11th of October. This bold and imposing movement, supported by the incessant and well directed appeals of the petitioners, roused the privileged clergy from their luxurious and protracted inertness. Counter memorials, accordingly, poured in from every quarter, soliciting a continuance of the ecclesiastical polity, upon principles of justice, wisdom, and expediency. They represented, that the repeal of the church establishment would be an *ex post facto* enactment, and a violation of the public faith; that the Episcopal clergy had entered upon their endowments, with the plighted obligation of the government to continue them therein, during life, or good behavior, as a compensation for their services, and that they held them by a tenure as sacred as that by which any man has secured to him his private property; that the Episcopalians did not mean to encroach on the religious rights of any sect of men, yet they conceived the existing institution, consecrated by the practice of so many years, as eminently conducive to the peace and happiness of the State; much confusion, and probably civil commotions would attend the propos-

ed change ; and finally, that an appeal should be made, for the decision of so important a question, to the sentiments and wishes of the people at large. The petitions, on the other hand, expatiated in bewitching strains, upon the burning theme of liberty ; and blended with unanswerable demonstrations of right and reason, the pathetic expostulations of bereaved freemen.

The subject was referred to the Committee of the whole House, on the state of the country, with the multitude of appertaining memorials and remonstrances. " These," says Mr. Jefferson in 1820, " brought on the severest contests in which I have ever been engaged. Our great opponents, were Mr. Pendleton and Robert Carter Nicholas ; honest men, but zealous churchmen." The majority of the Legislature, unfortunately, were of the same religious stamp, which forced an alteration in the mode of attack, on the leader of the reform party. Finding he could not maintain the ground on which he set out, he varied his position from absolute, to partial abolition ; and after vehement contests in the committee, almost daily, from the 11th of October, to the 5th of December, he prevailed so far only, as to repeal the laws, which rendered criminal the maintenance of any religious opinions, the forbearance of repairing to church, or the exercise of any mode of worship. By the same act also, he secured a provision, exempting dissenters from contributions to the support of the established church, and suspending, until the next session only, levies on the members of the church for the salaries of their own incumbents. But his opponents carried in a declaratory saving, that religious assemblies ought to be regulated, and that provision ought to be made for continuing the succession of the clergy, and superintending their conduct. They succeeded also, in incorporating an express reservation of the ultimate question,—Whether a general assessment should not be established by law, on every one, to support the pastor of his choice ; or whether all should be left to free and voluntary contributions. This question, the last prop of the tottering hierarchy, reduced the struggle to one of pure principle. The particular object of the dissenters being secured, they deserted the volunteer champion of their cause, and went over, in troops, to the advocates of a general assessment. This step, the natural proclivity of the sectarian mind, showed them incapable of religious liberty, upon an expansive scale, or broader than their own interests, as schismatics.

But the defection of the dissenters, painful as it was, only stimulated his desire for total abolition, as it developed more palpably, the evidences of its necessity. He remained unshaken at his post; and brought on the reserved question, at every session, from '76 to '79; during which time, he could only obtain a suspension of the levies from year to year, until the session of '79, when, by his unwearied exertions, the question was carried definitively, against a general assessment, and the establishment of the Anglican church entirely overthrown.

This achievement is one of the standing monuments of that glory-hallowed age, and of its great intellectual magician. The Revolution itself, with its catalogue of civil and political liberations, would have been but a compromise, without it, between despotism and freedom; and the balance would have been against us, in the same proportion as the liberties of a nation depend more on the moral, than on the political condition of its inhabitants. If ever there was an occasion, when the American people might glory in the superiority of their discoveries in the science of government, over the aggregate attainments of the nations of the earth, and boast of having produced a legislator, wiser than the wisest of their own, greater than the greatest of antiquity, it was that on which the Author of this act, peaceably, and by the mere force of reason, banished from their political code, a heresy, fundamental in character, consecrated by immemorial adoption, universal and uninterrupted transmission, and cherished by the most indomitable prejudices of the human mind. The history of the world presents no other example of a dissolution of Church and State, uncrimsoned by the blood of the martyr, or unattended, sooner or later, by a re-establishment of the union, upon the basis of a more powerful sectarianism. It belonged to America, guided by the unsophisticated counsels of a native lawgiver, to establish the legitimate theory on this momentous subject, by exempting the operations of the human mind, in toto, from the jurisdiction of civil government. The other nations of the earth, catching their inspiration from the American altar, are approximating, in slow degrees, to the same beneficent result; and the time is not far distant, probably, when the policy of Mr. Jefferson will be universally recognized and put in practice. Who, then, can set limits to the magnitude of this political innovation, or the merits of its unrestrained originator? It is from such

conquests, achieved by such means, that the correct standard is derived, which determines the relative preponderance of empires, as of individuals, in the scale of greatness, power, and respectability.

Thus was the cause of religious liberty astonishingly advanced. But still the work was incomplete. Statutory oppressions were disannulled ; but those which existed at the common law, continued in force ; nor were the advantages already gained, secured by any positive legislative sanction. The proceedings hitherto, upon the subject, were of a belligerent character ; and although crowned with unexampled success, were regarded by the mover, in great part, as an experiment upon public opinion, 'indicative,' as he expressed it, 'of the general pulse of reformation.' The immortal barrier which he subsequently erected, in perpetual security of the rights, of which he had already procured the recognition, forms the inimitable conclusion of this impressive drama. We allude to his celebrated Religious Freedom Bill, universally regarded as the chiefest of the bulwarks of human rights. As it constitutes a part of his general Code of Revisal, the merits of this bill will be more particularly considered, when we come to develop the features of that vast and recondite labor.

The next prominent corruption of the Monarchy, which Mr. Jefferson regarded as fatally inconsistent with the republican change, was the existence, and the practice of slavery. We have already seen him, on two occasions, exerting his talents, and raising his prophetic voice, in awful admonition, against the continuance of this atrocious and wide spread injustice. The result of his former attempt in the Legislature, which was based upon manumission, or the permission to emancipate, had convinced him, of the utter impracticability of maintaining that ground ; and of the necessity of attacking the evil in such mode as should militate less diametrically against the interests and prejudices of the reigning population. He took his stand, therefore, upon a proposition to abolish the execrable *commerce* in slaves ; which, by stopping importation, would arrest the increase of the evil, and diminish the obstacles to eventual eradication. But the business of the war pressing heavily upon the Legislature, the subject was not acted upon definitively, until the session of '78, when the bill was carried without opposition, and the slave trade triumphantly abolished in Virginia. The vast importance of this measure, and the grounds

upon which the author may contest the merit of priority, with the world, in the benevolent enterprise of African emancipation, will be explained at greater length, when we arrive at that period of his legislative history. *

The next object of public improvement, which struck the attentive mind of Mr. Jefferson as being of immediate urgency, was the removal of the Seat of Government. The situation of Williamsburg was so exposed, that it might be captured at any time in war, by the enemy running up, in the night, either of the rivers between which it lay, landing a force above, and taking possession; without the possibility of saving either the officers and archives of the government, or the military magazines. The Seat of Government had been originally fixed at Jamestown, the first settlement of the colonists; whence it had been afterwards removed a few miles inland, to Williamsburg. But at that time the settlements had not extended beyond the tide waters; now they had crossed the Allegany; and the centre of population had travelled far into the interior, from what it had been. In view of these considerations he submitted a proposition, early in October, for the removal of the government seat from Williamsburg to Richmond, the present metropolis; but it did not prevail until the session of May, '79.

Such were some of the astonishing feats of legislation, with which Mr. Jefferson commenced the process of republicanizing the institutions of America, in the first regular Legislature that was organized on the dissolution of the Monarchy. They were all, it will be perceived, of an elementary character, and highly democratic in their object and tendency. But still, the unique and deeply interesting work was only begun—so thought the reaching and untrammelled Innovator who contrived it. The original plan which he had proposed to himself, on determining to leave the floor of Congress, comprehended the entire resolution, and recasting into other forms, of the anciently established and generally received bases of civil government.

“So far,” says he, in his brief notes of these transactions, “we were proceeding in the details of reformation only; selecting points of legislation, prominent in character and principle, urgent, and indicative of the strength of the general pulse of reformation. When I left Congress in '76, it was in the persuasion, that our whole code must be reviewed, adapted to our republican

form of government; and now, that we had no negatives of Councils, Governors and Kings to restrain us from doing right, that it should be corrected in all its parts, with a single eye to reason and the good of those for whose government it was framed."

In pursuance of his original design, therefore, he now brought forward a proposition, which stands recorded in the Statute books of Virginia, in the following terms.

"Whereas, on the late change which hath of necessity been introduced into the form of government in this country, it is become also necessary to make corresponding changes in the laws heretofore in force; many of which are inapplicable to the powers of government as now organized, others are founded on principles heterogeneous to the republican spirit; others, which long before such change, had been oppressive to the people, could yet never be repealed while the regal power continued; and others, having taken their origin while our ancestors remained in Britain, are not so well adapted to our present circumstances of time and place; and it is also necessary to introduce certain other laws, which, though proved by the experience of other States to be friendly to liberty and the rights of mankind, we have not heretofore been permitted to adopt; and whereas a work of such magnitude, labor, and difficulty, may not be effected during the short and busy term of a session of Assembly:

"Be it therefore enacted, by the General Assembly of the Commonwealth of Virginia, and it is hereby enacted by the authority of the same,—That a committee, to consist of five persons, shall be appointed by joint ballot of both Houses, (three of whom to be a quorum,) who shall have full power and authority to revise, alter, amend, repeal, or introduce all or any of the said laws, to form the same into Bills, and report them to the next meeting of the General Assembly".

The resolution was passed on the 24th of October, '76, and on the 5th of November, Mr. Jefferson, as chairman, was associated in a commission with Edmund Pendleton, George Wythe, George Mason, and Thomas Ludwell Lee, to execute the contemplated revisal. The Commissioners were elected by a joint ballot of both Houses; and the choice resulted in the selection of an assemblage of characters, which united the first order of capacity, intelligence, and legal research, to a preponderance of the rankest revolutionary principles. Suitable provisions were added, to render the execution of a work of such magnitude and difficulty, as easy and expeditious as practicable; and such was the importance attached to the result of their labors, that the Assembly excused Mr. Wythe from

his attendance in Congress, to secure his undivided co operation. Having accepted the arduous and responsible charge, the Committee of Revisors immediately came to an agreement, to meet at Fredericksburg, in January ensuing, to settle the plan of operation, and to distribute the work. The foundation was thus laid, for enabling the great republican lawgiver, to pursue his system of reform, so auspiciously commenced, in all the latitude of his long cherished and well expressed purpose,—‘with a single eye to reason, and the good of mankind.’

But in the midst of this brisk and bold-spirited action of the incipient popular Administration, an irregularity occurred, which, had it been permitted to prevail, would have been a standing evidence, of the incapacity of man for self-government. The autumn of '76, was one of the darkest and most distressing periods of the Revolution. The courage of the country seemed to relapse into a temporary panic. The fortitude of the Virginia Legislature, fell for a season; and in a moment of terror and despondency, the demented project was seriously meditated of creating a *Dictator*, invested with every power, legislative, executive and judiciary, civil and military, of life and of death. The scheme originated with the aristocratic portion of the House; and produced an exacerbation of temper which menaced a violent dissolution of the body. A discrimination of political sentiment was developed by the event, which before, was deemed incredible among the members of that heroic Legislature. The republican and the monarchist stood unveiled, as if by the power of magic; and such was the discrepancy of opinion and of honest zeal,—for no one has attempted to impeach the motives of either party,—that they walked the streets on different sides. It was on this occasion, that Col. Archibald Cary, mover of the celebrated resolutions of Independence, now Speaker of the Senate, manifested a patriotic sternness, which has placed him in history, along side of a Cato and a Brutus.* Meeting Col. Syme, the step-brother of Patrick Henry, in the lobby of the House, during the agitation, he accosted him with great fierceness, in the following terms:—“I am told that your brother wishes to be Dictator: tell him from me, that the day of his appointment, shall be the day of his death,—for he shall feel my dagger in his heart, before the sun-

* Girardin, p. 192.

set of that day.”* The feelings excited in the mind of Mr. Jefferson, who was eminently instrumental in crushing the parricidal project, may be inferred from that nervous and overpowering development of its nature and tendency, which he recorded, a few years after, as an everlasting warning to his countrymen. The following is an extract.

“One, who entered into this contest, from a pure love of liberty, and a sense of injured rights, who determined to make every sacrifice, and to meet every danger, for the re-establishment of those rights, on a firm basis, who did not mean to expend his blood and substance, for the wretched purpose of changing this master for that, but to place the powers of governing him, in a plurality of hands of his own choice, so that the corrupt will of no one man, might in future oppress him, must stand confounded and dismayed, when he is told, that a considerable portion of that plurality, had meditated the surrender of them, into a single hand, and, in lieu of a limited monarchy, to deliver him over to a despotic one! How must he find his efforts and sacrifices abused and baffled, if he may still, by a single vote, be laid prostrate at the feet of one man? In God’s name, from whence have they derived this power? Is it from our ancient laws? None such can be produced. Is it from any principle in our new constitution, expressed or implied? Every lineament of that, expressed or implied, is in full opposition to it. Its fundamental principle is, that the State shall be governed as a Commonwealth. It provides a republican organization, proscribes under the name of prerogative, the exercise of all powers undefined by the laws; places on this basis, the whole system of our laws; and by consolidating them together, chuses that they should be left to stand or fall together, never providing for any circumstances, nor admitting that such could arise, wherein either should be suspended, no, not for a moment. Our ancient laws expressly declare, that those who are but delegates themselves, shall not delegate to others, powers, which require judgment and integrity in their exercise.—Or was this proposition moved, on a supposed right in the movers of abandoning their posts in a moment of distress? The same laws forbid the abandonment of that post, even on ordinary occasions: and much more, a transfer of their powers into other hands, and other forms, without consulting the people. They never admit the idea, that these, like sheep or cattle, may be given from hand to hand, without an appeal to their own will. Was it from the necessity of the case? Necessities which dissolve a government, do not convey its authority to an oligarchy or a monarchy. They

*Although it was generally supposed that Mr. Henry, then Gov. of the State, was the person in view for the Dictatorship, yet there is no evidence that he was implicated in the scheme himself, or had any knowledge of it.

throw back, into the hands of the people, the powers they had delegated, and leave them as individuals to shift for themselves. A leader may offer, but not impose himself, nor be imposed on them. Much less can their necks be submitted to his sword, their breath to be held at his will, or caprice. The necessity which should operate these tremendous effects, should at least be palpable and irresistible. * * * In this State alone, did there exist so little virtue, that fear was to be fixed in the hearts of the people, to become the motive of their exertions, and the principle of their government? The very thought alone, was treason against the people; was treason against mankind in general; rivetting for ever the chains which bow down their necks, by giving to their oppressors a proof, which they would have trumpeted through the universe, of the imbecility of republican government, in times of pressing danger, to shield them from harm. Those who assume the right of giving away the reins of government in any case, must be sure that the herd, whom they hand on to the rods and hatchet of the dictator, will lay their heads on the block, when he shall nod to them. But if our Assemblies supposed such a resignation in the people, I hope they mistook their character. I am of opinion, that the government, instead of being braced and invigorated for greater exertions, under their difficulties, would have been thrown back upon the bungling machinery of county committees for administration, till a convention could have been called, and its wheels again set into regular motion. What a cruel moment was this, for creating such an embarrassment, for putting to the proof, the attachment of our countrymen, to republican government?"

On the 13th of January, 1777, the committee appointed to Revise the Laws, assembled at Fredericksburg, agreeably to previous arrangement, to settle the general principles of execution, and to distribute the labor. In relation to the first business of the consultation, the primary question was, 'whether they should propose to abolish the whole existing system of laws, and prepare a new and complete Institute, or preserve the general system, and only modify it to the present state of things.' Mr. Pendleton, contrary to his usual disposition in favor of ancient things, was for the former proposition, in which he was joined by Mr. Lee. To this it was objected by Mr. Jefferson, that to abrogate the whole system, would be a bold measure, and probably far beyond the views of the Legislature; that they had been in the practice of revising, from time to time, the laws of the Colony, omitting the expired, the repealed, and the obsolete, amending only those retained, and probably now meant they should do the same, only including the British stat-

utes as well as our own ; that to compose a new Institute, like those of Justinian and Bracton, or that of Blackstone, which was the model proposed by Mr. Pendleton, would be an arduous undertaking, of vast research, of great consideration and judgment ; and when reduced to a text, from the imperfection of human language, and its incompetence to express distinctly every shade of idea, would become a subject of question and chicanery, until settled by repeated adjudications ; that this would involve us for ages in litigation, and render property uncertain, until, like the statutes of old, every word had been tried and settled by numerous decisions, and by new volumes of reports and commentaries ; and, to be systematical, must be the work of one hand.' This last was the opinion also of Mr. Wythe and Mr. Mason, and was consequently adopted as the rule. They then proceeded to the distribution of the labor ; upon which, Mr. Mason excused himself, as, being no lawyer, he felt himself unqualified to participate in the execution of the work, and resigned, indeed, soon after. Mr. Lee excused himself on the same ground, and lived but a short time longer. The whole undertaking, consequently, devolved on Mr. Jefferson, Mr. Pendleton, and Mr. Wythe, who divided it among themselves, in the following manner :—The whole Common Law, and the Statutes to the 4th James I.—when their separate Legislature was established,—were assigned to Mr. Jefferson ; the British Statutes, from that period to the present day, to Mr. Wythe ; and the Virginia laws to Mr. Pendleton.

As the Law of Descents and the Criminal Law fell within the portion assigned to Mr. Jefferson, in both of which he designed to introduce certain fundamental changes, he submitted his intentions to the committee, with a view to obtain their concurrence. First, with respect to Descents, he proposed to abolish the law of Primogeniture, and to make real estate descendible in equal partition to the next of kin, as personal property was, by the statute of distribution. Mr. Pendleton objected to the plan, and insisted upon preserving the right of primogeniture entire ; but finding he could not maintain the whole, he proposed to adopt the Hebrew principle, and give a double portion to the elder son. In reply, Mr. Jefferson observed, "that if the elder son could eat twice as much, or do double work, it might be a natural evidence of his right to a double portion ; but being on a par, in his powers and wants, with his brothers and sis-

ters, he should be on a par also in the partition of the patrimony." The argument was as conclusive as it was characteristic ; and, the other members of the committee concurring with him, the principle was adopted.

On the subject of the Criminal Law, he proposed, as a fundamental rule, that the punishment of death should be abolished, in all cases, except for treason and murder. The extraordinary humanity of this proposition, is illustrated by the fact, that at this time, the penal code of Great Britain comprehended more than two hundred offences, besides treason and murder, punishable by hanging ; many of which were of so venial a nature as scarcely to deserve flagellation. The innovation recommended would sweep from the parent code, all its cruel and sanguinary features, without impairing its energy, as modern experience has proved, and present an example to mankind, of wise and philanthropic legislation, which of itself would be enough to immortalize the Revolution. The proposition was approved by the committee ; and for all felonies, under treason and murder, it was agreed to substitute, in the room of capital punishment, hard labor in the public works, and, in some cases, the *lex talionis*, or law of retaliation. With the last mentioned substitute, Mr. Jefferson was dissatisfied, but acquiesced in the decision of the board. "How this revolting principle," says he, "came to obtain our approbation, I do not remember. There remained, indeed, in our laws, a vestige of it, in a single case of a slave. It was the English law, in the time of the Anglo-Saxons, copied probably from the Hebrew law of 'an eye for an eye, a tooth for a tooth,' and it was the law of several ancient people ; but the modern mind had left it far in the rear of its advances." Having decided upon these general principles, as the basis of revision, they repaired to their respective homes, to accomplish the magnificent design.

During the years 1777 and 8, the anxieties and agitations of the war weighed so heavily and constantly upon the Legislature, that little attention could be spared to advancing the progress of political reform. Mr. Jefferson continued a member, but in obedience to more pressing urgencies, suspended, in great part, the ruling purpose of his mind, and buried himself in the external concerns of revolution. In all the practical details of legislation, he contributed his full quota of service ; but their volume prevents their incorporation, to any amount, into this work. Not a moment was passed unem-

ployed. Every interval which could be safely abstracted from his duties in the Legislature, was devoted to the preparation of the 'Revised Code of Virginia, or to a vigilant circumspection of the national affairs.

The following letter to Dr. Franklin, in Paris, evinces the triumphant satisfaction with which he contemplated the establishment of republicanism on the ruins of monarchy, in his native State, as well as the anxiety and zeal which he carried into every department of the public service. It is the fourth, in date, of his published correspondence.

“Virginia, August 13, 1777.

“Honorable Sir,—I forbear to write you news, as the time of Mr. Shore's departure being uncertain, it might be old before you receive it, and he can, in person, possess you of all we have. With respect to the State of Virginia in particular, the people seem to have laid aside the monarchical, and taken up the republican government, with as much ease as would have attended their throwing off an old, and putting on a new suit of clothes. Not a single throe has attended this important transformation. A half dozen aristocratical gentlemen, agonizing under the loss of pre-eminence, have sometimes ventured their sarcasms on our political metamorphosis. They have been thought fitter objects of pity than of punishment. We are at present in the complete and quiet exercise of well organized government, save only that our courts of justice do not open till the fall. I think nothing can bring the security of our continent and its cause into danger, if we can support the credit of our paper. To do that, I apprehend one or two steps must be taken. Either to procure free trade by alliance with some naval power able to protect it; or, if we find there is no prospect of that, to shut our ports totally to all the world, and turn our Colonies into manufactories. The former would be most eligible, because most conformable to the habits and wishes of our people. Were the British Court to return to their senses in time to seize the little advantage which still remains within their reach from this quarter, I judge that, on acknowledging our absolute independence and sovereignty, a commercial treaty beneficial to them, and perhaps even a league of mutual offence and defence, might, not seeing the expense or consequences of such a measure, be approved by our people, if nothing in the mean time, done on your part, should prevent it. But they will continue to grasp at their desperate sovereignty, till every benefit short of that is forever out of their reach. I wish my domestic situation had rendered it possible for me to join you in the very honorable charge confided to you. Residence in a polite Court, society of literati of the first order, a just cause and an approving God, will add length to a

life for which all men pray, and none more than your most obedient and humble servant."

In addition to the crowd of military operations, which engaged the attention of the Legislature, two important transactions of a civil character, in both of which Mr. Jefferson took the lead, distinguished the autumnal session of 1777. These were, the ratification of the Articles of Confederation and Perpetual Union, proposed by Congress on the 17th of November, '76; and the adoption of a plan to dispose of the vast unappropriated lands of Virginia, on the western waters, the avails of which to be applied to the creation of a sinking fund, in aid of the taxes, for discharging the public debt. A loan office was established, in which the waste and unpatented lands were registered, and sold, from time to time, on moderate terms, for the benefit of the State. In the present posture of affairs, no measure could have been proposed, more directly and widely beneficial; it opened an incalculable resource for the support of the public credit.

The May session of 1778, also, notwithstanding the importunity of the war, and the unremitting assiduities of military preparation, was distinguished by a civil transaction, which is intimately blended with the reputation of Mr. Jefferson, and with the honor of our common country. We allude to the abolition of the Slave Trade. The bill for this purpose, it will be recollected, was introduced by him at the October session of '76, but was not acted upon finally, until the present, when a more particular illustration of its merits was promised, by a historical comparison of the efforts of other nations, in the same benevolent sphere. The British empire has claimed the honor of having set the example to the world, of the renunciation of this diabolical traffick; and Lord Castlereagh declared, in the House of Commons, on the 9th of February, 1818, that on the subject of making the slave trade punishable by law, Great Britain had led the way. A little attention to dates and transactions, will elucidate the historical truth on this point.

In the year 1791, Mr. Wilberforce, who is considered the father of African Abolition in England, made his first grand motion to that effect in the House of Commons. After a vehement and protracted debate, in the course of which, Mr. Fox said, that "if the House did not, by their vote, mark to all mankind their abhorrence of a practice so savage, so enormous, so repugnant to all laws, hu-

man and divine, they would consign their character to eternal infamy,"—the motion was lost by a considerable majority. The ensuing year, he renewed his proposition, with unabated ardor, and again it was rejected by the House. They nevertheless manifested some relaxation in their resistance to the general principle, by voting a gradual abolition, the same year; but the House of Lords refused to concur. The same vote was again carried in 1794, in Commons, by a very thin House; but lost with the Peers, by a majority of forty-five to four. Similar results attended the annual and indefatigable exertions of the abolitionists, for the space of fourteen years; and it was not until the 25th of March, 1807, that England consented to renounce the Slave Trade, by a law which enacted, that no vessels should clear out for slaves from any port within the British dominions, after the 1st of May, 1807; and that no slave should be landed in the Colonies after the 1st of March, 1808. On the 16th of March, 1792, Denmark promulgated a law, which interdicted the Slave Trade on the part of Danish subjects, after the commencement of the year 1803; and which prescribed that all importations of slaves into the Danish dominions should cease at the same period. Sweden, who had never authorized the traffick, consented to its prohibition in 1813; and the King of the Netherlands in 1814. In France, Bonaparte interdicted it spontaneously and immediately on his return from Elba, in 1815. In 1816, Spain stipulated in a treaty with England, to renounce the trade entirely, after the 30th of March, 1820, in consideration of the sum of four hundred thousand pounds sterling. About the same time, also, a treaty was concluded by the same Power, with Portugal, in which she required the period of eight years to complete the work of abolition, together with certain material changes in the commercial relations of the two countries.*

From the foregoing statement, it appears, that the high honor of having set the example in the magnanimous work of African Abolition, belongs clearly and absolutely to America. That Virginia was the first sovereign and independent State, herself a slave holding community, which renounced the nefarious commerce; that she preceded Great Britain twenty-nine years, and the other principal slave dealing Powers in Europe, except Denmark, more

* Walsh's Appeal, pp. 320—364.

than thirty-five years ; and that among the multitude of statesmen and philanthropists, whose praises have been heralded through the universe, and deservedly so, for their splendid successes in this species of legislation, the merit of priority, and of self-denying patriotism, attaches irresistably and incontestibly to Mr. Jefferson. The Bill which he submitted to the Legislature, and which finally received their sanction, prohibited, under heavy penalties, the introduction of any slave into Virginia, by land or by water ; and declared, that every slave imported contrary thereto, should be immediately free ; excepting such as might belong to persons emigrating from the other States, or be claimed by discount, devise, or marriage, or be at that time, the actual property of any citizen of the Commonwealth, residing in any other of the United States, or belong to travellers making a transient stay, and carrying their slaves away with them. The circumstance ought not to be overlooked, that this important triumph was achieved amid the turbulence and anxiety of Revolution ; thus exhibiting the sublime spectacle of a people legislating for the liberties of another and distant continent, before the recovery of their own. The example was followed up by Pennsylvania, Massachusetts, Connecticut and Rhode Island, in the years 1780, '87, '88 ; and in 1794 the Congress of the United States interdicted the trade from all the ports of the Union, under severe penalties. Thus was the work of abolition finally consummated in America, and a great step taken towards eradicating the inveterate and hydra-headed evil. The cause of *emancipation* is a very different subject. We have already noticed the opinions, and the official labors of Mr. Jefferson upon that point ; his future and indefatigable efforts in the same cause, diffused, as they are, through his whole life, will progressively develop themselves in the sequel.

In the month of February, 1779, the Committee of Revisors, having completed their respective tasks, convened at Williamsburg, to review, approve, and consolidate them into one Report. They came together day after day, and examined critically their several parts, scrutinizing and amending, until they had agreed on the whole. They had, in this work, embodied all the Common Law which it was thought necessary to alter, all the British Statutes, from Magna Charta to the present day, and all the laws of Virginia, from the establishment of their separate Legislature to the

present time, which they thought should be retained, within the compass of *one hundred and twenty-six bills*, making a printed folio of ninety pages only. A monument of codification, upon the republican model, almost incredible at that period ! The whole of this herculean labor, the major part of which fell to Mr. Jefferson, was accomplished at detached and hurried intervals, amidst the complicated occupations and anxieties of the times, within the brief space of two years. In the execution of his part, Mr. Jefferson observed a rule, in relation to style, which may appear rather odd to the modern draughtsman. In reforming the ancient statutes, he preserved the diction of the text ; and in all new draughts, he avoided the introduction of modern technicalities, and adopted the sample of antiquity ; which, from its greater simplicity, would allow less scope for the chicanery of the lawyers, and remove from among the people, numberless liabilities to litigation. Against the labored phraseology of modern statutes, he has entered an amusing protest. ‘ Their verbosity,’ says he, ‘ their endless tautologies, their involutions of case within case, and parenthesis within parenthesis, and their multiplied efforts at certainty, by *said*s and *aforsaid*s, by *ors* and by *ands*, to make them more plain, have rendered them really more perplexed and incomprehensible, not only to common readers, but to the lawyers themselves.’

CHAPTER VI.

On the 18th of June, 1779, the Committee of Revisors communicated their Report to the General Assembly, accompanied by a letter to the Speaker, signed by Mr. Jefferson and Mr. Wythe, and authorized by Mr. Pendleton.

The Revised Code was not enacted in a mass, as was contemplated ; the minds of the Legislature were not prepared for so extensive a transition, at once, and the violence of the times afforded little leisure for the business of metaphysical discussion and training. Some Bills were taken out, occasionally, from time to time, and passed ; but the main body of the work was not entered upon, until after the general peace, in 1785 ; “ when,” says Mr. Jefferson,

“by the unwearied exertions of Mr. Madison, in opposition to the endless quibbles, chicaneries, perversions, vexations, and delays of lawyers and demi-lawyers, most of the bills were passed by the Legislature, with little alteration.” The distinguished cotemporary, who is represented as having had so important an agency in carrying this code into operation, has added verbal testimony of the uncommon estimate which he put upon its merits. “It has” says he, “been a *mine of legislative wealth*, and a model of statutory composition, containing *not a single superfluous word*, and preferring always words and phrases of a meaning fixed as much as possible by oracular treatises, or solemn adjudications.”*

In preparing this work, Mr. Jefferson improved the opportunity to push his favorite system of reform into every branch and fibre of administration, which could be reached through that avenue. The principal innovations which he made upon the established order of things, were the following :

1. The Repeal of the Law of Entails, which, though separately enacted at the first republican session, he incorporated into the Revised Code.

2. The Abrogation of the right of Primogeniture, and the equal division of inheritances among all the children, or other representatives in equal degree.

3. The Assertion of the right of Expatriation, or a republican definition of the rules whereby aliens may become citizens, and citizens make themselves aliens.

4. The Establishment of Religious Freedom upon the broadest foundation.

5. The Emancipation of all Slaves born after the passage of the act, and deportation at a proper age—not carried into effect.

6. The Abolition of Capital Punishment in all cases, except those of treason and murder ; and the graduation of punishments to crimes throughout, upon the principles of reason and humanity—enacted with amendments.

7. The Establishment of a systematical plan of General Education, reaching all classes of citizens, and adapted to every grade of capacity—not carried into effect.

* Letter to S. H. Smith, 1827.

The first of these prominent features of the Revisal, has already been considered at sufficient length.

The second in the catalogue, holds an eminent rank among the ancient and venerable foundations of republicanism. It overturned one of the most arbitrary and unrighteous, among the multiplied, institutions, which have been permitted to evict the laws of God and the order of nature, from the social systems of mankind. The principle of Primogeniture was a feudal engraftment upon the ancient common law of England, introduced by William the Conqueror, with the host of kindred burthens and restrictions; and as it formed the main pillar of the military despotisms in barbarian Scandinavia, so in civilized England, it constituted the grand artery of a hereditary and heavy bearing oligarchy. Like the law of entails, it operated to perpetuate the soil and wealth of the kingdom in single lines of families, and to create an artificial nobility, founded on the mere circumstance of birth, to the exclusion from all power and place, of the real nobility of talent and virtue, which nature has wisely ordered for the direction of human affairs. It did not escape the penetration of Mr. Jefferson, that the existence of such a principle, in a republican government, was a political solecism; on the extinction of which, depended the consistence and stability of the whole structure. The aristocracy of Virginia opposed the innovation with the usual pertinacity, which marked their adherence to the ancient privileges of the order; but the bill was finally carried, in 1785, and forms the present law of Descents in that distinguished Commonwealth.

The law on the subject of Expatriation, established the republican doctrine on that cardinal and much controverted principle of revolution. The original opinions of the Author, in reference to this question, from the earliest dawn of colonial resistance, with the singular discrepancy between them and those of his leading compatriots, have been illustrated, in a preceding chapter, by an appeal to the written testimony of that period. Heterodox and presumptuous as his rights of colonization were deemed by the political doctors of the first phasis of the Revolution, the public mind had now approximated so nearly to the same point, as to authorize the attempt to establish them upon a legal basis. The bill for this purpose, was taken up separately, and carried, on the 26th of June, '79, principally through the exertions of George Mason, into

whose hands the Author had committed it, on his retiring from the Legislature, the first of that month. After stating the conditions of naturalization, and declaring who shall be deemed citizens, and who aliens, on terms extremely liberal and democratic, the act goes on to prescribe : “ And in order to preserve to the citizens of this Commonwealth that *natural right, which all men have*, of relinquishing the country, in which birth or other accident may have thrown them, and seeking subsistence and happiness where-soever they may be able, or may hope to find them ; and to declare, unequivocally, what circumstances shall be deemed evidence of an intention in any citizen to exercise that right : It is enacted and declared,” &c. Having defined the necessary circumstances of evidence, and the mode of proceeding thereon, the act concludes by giving to all free white inhabitants of other States, except paupers and fugitives from justice, the same rights, privileges and immunities, as belong to the free citizens of the Commonwealth, and the liberty of free ingress and egress to and from the same ; reserving, however, the right and authority of retaining persons guilty, or charged with the commission, of any high crime or misdemeanor in another State, and of delivering them over to the authorities of the State from which they fled, upon demand of the Governor or executive power of such State. Speaking of this act, the Continuator of Burk’s History of Virginia, remarks :

“ Its operation has been superseded by subsequent institutions ; but that philanthropy which opened, in Virginia, an asylum to individuals of any nation not at open war with America, upon their removing to the State to reside, and taking an oath of fidelity ; and that respect for the natural and social rights of men, which lays no restraints whatever on expatriation, and claims the allegiance of citizens, so long only as they are willing to retain that character, cannot be forgotten. The legislators of Virginia well knew, that the strongest hold of a government on its citizens, is that affection which rational liberty, mild laws, and protecting institutions never fail to produce : especially, when physical advantages march in front with political blessings, and industry and worth are perennial sources of comfort and respectability.”

The act for the establishment of Religious Freedom, is perhaps the most interesting feature in the Revised Code. With the single exception of the Declaration of Independence, it is the most celebrated of the author’s productions, and the one to which himself always recurred with the highest pride and satisfaction. The preamble

which ushers in the act, demonstrates, with unrivaled grandeur, and with the emphasis of mathematical certainty, the premises upon which the stupendous proposition was founded ; “and the disciple of truth,” says a writer,* “on beholding this temple of refuge, must feel a holier awe from the magnificence of the vestibule.” Taking into consideration the infancy of political science, at that period, the feeble advances, in particular, which had been made on the subject of religious liberty, the bigoted adhesion of the mind to traditional scruples in spiritual concerns, and the high fermentation of the Church party, smarting under the recent loss of government power and patronage, the erection, by law, of this memorable bulwark of human freedom, may be regarded as the proudest triumph of reason and philosophy, of which that, or any other age, can boast. The following is the Preamble, with the accompanying Act.

“Whereas Almighty God hath created the mind free ; that all attempts to influence it by temporal punishments or burthens, or by civil incapacitations, tend only to beget habits of hypocrisy and meanness, and are a departure from the plan of the Holy Author of our religion, who being Lord both of body and mind, yet chose not to propagate it by coercions on either, as was in his Almighty power to do ; that the impious presumption of legislators and rulers, civil as well as ecclesiastical, who, being themselves but fallible and uninspired men, have assumed dominion over the faith of others, setting up their own opinions and modes of thinking, as the only true and infallible, and as such, endeavoring to impose them on others, hath established and maintained false religions over the greatest part of the world, and through all time ; that to compel a man to furnish contributions of money for the propagation of opinions which he disbelieves, is sinful and tyrannical ; that even the forcing him to support this or that teacher of his own religious persuasion, is depriving him of the comfortable liberty of giving his contributions to the particular pastor, whose morals he would make his pattern, and whose powers he feels most persuasive to righteousness, and is withdrawing from the ministry those temporary rewards, which, proceeding from an approbation of their personal conduct, are an additional incitement to earnest and unremitting labors for the instruction of mankind ; that our civil rights have no dependence upon our religious opinions, any more than our opinions in physics or geometry ; that therefore the proscribing any citizen as unworthy the public confidence, by laying upon him an incapacity of being called to offices of trust and emolument, unless he profess or renounce this or that religious opinion, is depriving him injuriously of those privileges and advantages,

* S. H. Smith.

to which in common with his fellow citizens he has a natural right ; that it tends only to corrupt the principles of that religion it is meant to encourage, by bribing with a monopoly of worldly honors and emoluments, those who will externally profess and conform to it ; yet though indeed these are criminal who do not withstand such temptation, yet neither are those innocent who lay the bait in their way ; that to suffer the civil magistrate to intrude his powers into the field of opinion, and to restrain the profession or propagation of principles on supposition of their ill tendency, is a dangerous fallacy, which at once destroys all religious liberty, because he being of course judge of that tendency will make his opinions the rule of judgment, and approve or condemn the sentiments of others only as they shall square with or differ from his own ; that it is time enough for the rightful purposes of civil government, for its officers to interfere when principles break out into overt acts against peace and good order ; and finally, that truth is great and will prevail if left to herself, that she is the proper and sufficient antagonist to error, and has nothing to fear from the conflict, unless by human interposition disarmed of her natural weapons, free argument and debate, errors ceasing to be dangerous when it is permitted freely to contradict them :

“ Be it enacted by the General Assembly, That no man shall be compelled to frequent or support any religious worship, place, or ministry, whatsoever, nor shall be enforced, restrained, molested, or burthened in his body or goods, nor shall otherwise suffer on account of his religious opinions or belief ; but that all men shall be free to profess, and by argument to maintain, their opinion in matters of religion, and that the same shall in no wise diminish, enlarge, or affect their civil capacities.

“ And though we well know that this Assembly, elected by the people for the ordinary purposes of legislation only, have no power to restrain the acts of successive Assemblies, constituted with powers equal to our own, and that therefore to declare this act to be irrevocable would be of no effect in law ; yet we are free to declare, and do declare, that the rights hereby asserted are of the natural rights of mankind, and that if any act should be hereafter passed to repeal the present, or to narrow its operation, such act will be an infringement of natural right.”

The above is the form in which it received the sanction of the Legislature, and varies somewhat from the original draught. ‘The variations,’ says the compiler of the Virginia statutes, ‘rendered the style less elegant, though they did not materially affect the sense.’ The Bill was not acted upon until the year 1785, nor carried then, but with considerable difficulty.

“ I had drawn it,” says the author, “ in all the latitude of reason and right. It still met with opposition ; but, with some mutilations

in the preamble, it was finally passed ; and a singular proposition proved, that its protection of opinion was meant to be universal. Where the preamble declares, that coercion is a departure from the plan of the Holy Author of our religion, an amendment was proposed, by inserting the words ‘Jesus Christ,’ so that it should read, ‘a departure from the plan of Jesus Christ, the Holy Author of our religion ;’ the insertion was rejected by a great majority, in proof that they meant to comprehend, within the mantle of its protection, the Jew and the Gentile, the Christian and Mahometan, the Hindoo, and Infidel of every denomination.”

This celebrated Act has been the standing model of legislation for the security of religious freedom, in all parts of the Union, from that day to the present ; and there is not, we believe, a State, that has legislated at all upon the subject, which has not incorporated, either in its Constitution, or its Statutory Code, the substance of its provisions, and, in some instances, its phraseology to a considerable extent.

On its promulgation, in 1785, it excited unbounded admiration, and was copied into every newspaper, which made any pretensions to liberality, with enthusiastic comments. In Europe, it produced a considerable sensation. It was translated into all the principal languages, copied into the newspapers, reviews, and encyclopedias, and applauded beyond measure by the statesmen and philosophers of the ancient world. Mr. Jefferson was in France when the intelligence was received in Europe, resident Minister at the Court of Versailles ; and in his private letters to America, of that date, frequent mention is made of the admiration expressed for the Act of Religious Freedom, and the Revised Code generally.

In a letter to Mr. Wythe, dated Paris, August 13, 1786, he thus writes :

“The European papers have announced, that the Assembly of Virginia were occupied on the revisal of their code of laws. This with some other similar intelligence, has contributed much to convince the people of Europe, that what the English papers are constantly publishing of our anarchy, is false ; as they are sensible, that such a work is that of a people only, who are in perfect tranquillity. Our act for freedom of religion is extremely applauded. The ambassadors and ministers of the several nations of Europe, resident at this court, have asked of me copies of it, to send to their sovereigns, and it is inserted at full length in several books now in the press ; among others, in the new *Encyclopedie*. I think it will produce considerable good, even in these countries, where ignorance,

superstition, poverty, and oppression of body and mind, in every form, are so firmly settled on the mass of the people, that their redemption from them can never be hoped. If all the sovereigns of Europe were to set themselves to work, to emancipate the minds of their subjects from their present ignorance and prejudices, and that, as zealously as they now endeavor the contrary, a thousand years would not place them on that high ground, on which our common people are now setting out. Ours could not have been so fairly placed under the control of the common sense of the people, had they not been separated from their parent stock, and kept from contamination, either from them, or the other people of the old world, by the intervention of so wide an ocean. To know the worth of this, one must see the want of it here."

Again, in a letter to Mr. Madison, dated Paris, Dec. 16, 1786, he communicates the same information, in such a manner, that it loses no interest by the repetition.

"The Virginia act for religious freedom has been received with infinite approbation in Europe, and propagated with enthusiasm. I do not mean by the governments, but by the individuals who compose them. It has been translated into French and Italian, has been sent to most of the courts of Europe, and has been the best evidence of the falsehood of those reports, which stated us to be in anarchy. It is inserted in the new *Encyclopedie*, and is appearing in most of the publications respecting America. In fact, it is comfortable to see the standard of reason at length erected, after so many ages, during which the human mind has been held in vassalage by kings, priests, and nobles: and it is honorable for us to have produced the first legislature who had the courage to declare, that the reason of man may be trusted with the formation of his own opinions."

The next distinguishing and fundamental change recommended by the Revisal, regarded the freedom of the unhappy sons of Africa; and proposed, directly, the Emancipation of all Slaves born after the passage of the act. The Bill reported by the Revisors, did not itself contain this proposition; but an amendment containing it, was prepared, to be offered to the Legislature, whenever the bill should be taken up. "It was thought better," says the Author, "that this should be kept back, and attempted only, by way of amendment." It was further agreed, to embrace in the residuary proposition a clause, directing, that the after born Slaves should continue with their parents to a certain age, then be brought up at the public expense, to tillage, arts or sciences, according to their geniuses, till the females should be eighteen, and the males twenty-one years of age,

when they should be colonized to such place as the circumstances of the time should render most proper, sending them out with arms, implements of household and the handicraft arts, seeds, pairs of the useful domestic animals, &c. ; to declare them a free and independent people, and extend to them our alliance and protection, till they should have acquired strength ; and to send vessels, at the same time, to other parts of the world for an equal number of white inhabitants, to induce whom to migrate thither, proper encouragements were to be proposed. But when the Bill was taken up by the Legislature, in 1785, neither Mr. Jefferson, nor Mr. Wythe, his chief coadjutor in the undertaking, were members ; the former being absent on the Legation to France, and the latter, an officer of the judiciary department ; so the contemplated amendment was not proposed, and the Bill passed unaltered, being a mere digest of the existing laws on the subject, without any intimation of a plan for future and general emancipation.

If there was any one question connected with the freedom and happiness of mankind, on which the genius of Mr. Jefferson kindled into an extravagance, seemingly incompatible with sobriety and right reason, it was that of the Emancipation of Slaves. It was hardly possible for him, as he declared, to write and be temperate on the subject. The quotations already given to the reader, exhibit abundant evidence of the intensity with which he yearned, to use his own language, "for the moment of delivery to this oppressed description of men." The following vehement exhortation was penned in France, on learning the passage of the Slave Bill, in Virginia, without the adoption of his concerted amendment.

"What a stupendous, what an incomprehensible machine is man ! who can endure toil, famine, stripes, imprisonment, and death itself, in vindication of his own liberty, and, the next moment, be deaf to all those motives whose power supported him through his trial, and inflict on his fellow men a bondage, one hour of which is fraught with more misery, than ages of that which he rose in rebellion to oppose ! But we must await, with patience, the workings of an overruling Providence, and hope that that is preparing the deliverance of these our suffering brethren. When the measure of their tears shall be full, when their groans shall have involved heaven itself in darkness, doubtless a God of justice will awaken to their distress, and by diffusing light and liberality among their oppressors, or at length, by his exterminating thunder, man-

ifest his attention to the things of this world, and that they are not left to the guidance of a blind fatality.”

The following paragraph, in allusion to the same transaction of the Legislature, was written at the age of seventy-seven, and found among his papers at the time of his death. Time but added emphasis to his appalling predictions, and strengthened his attachment to the plan of redemption, which he originally proposed.

“It was found that the public mind would not yet bear the proposition, nor will it bear it even at this day, (1821.) Yet the day is not distant, when it must bear and adopt it, or worse will follow. Nothing is more certainly written in the book of fate, than that these people are to be free; nor is it less certain, that the two races, equally free, cannot live in the same government. Nature, habit, opinion have drawn indelible lines of distinction between them. It is still in our power to direct the process of emancipation and deportation, peaceably, and in such slow degree, as that the evil will wear off insensibly, and their place be, *pari passu*, filled up by free white laborers. If, on the contrary, it is left to force itself on, human nature must shudder at the prospect held up. We should in vain look for an example in the Spanish deportation, or deletion of the Moors. This precedent would fall far short of our case.”

The ‘Bill for proportioning Crimes and Punishments in cases heretofore capital’ occupies a proud niche in the temple of revolutionary reform. The changes which it proposed in the Criminal Code of the old world, were of the most extensive character, and such as modern experience has proved abundantly adequate to the protection and good order of society, while they saved a great amount of individual suffering and slaughter. Theoretical writers had shaken, profoundly, the barbarous opinions which prevailed on the subject of penal jurisprudence; among whom Mr. Jefferson mentions Beccaria, in particular, as having “satisfied the reasonable world, of the unrightfulness and inefficacy of the punishment of crimes by death.” But no mitigation had been effected in practice; and the Author of this act stands before the world, as the first official lawgiver, who, having advanced to the true theory of criminal ethics, went boldly and rationally to work to incorporate it in the mechanism of civil government. The legitimate object of all punishment being, in his opinion, disciplinary, rather than vindictory, he made the *reformation of the offender*, the fundamental maxim of his theory; and graduated his scale of penal sanctions

by that standard. The punishment of death putting this object entirely out of the question, he restrained its infliction to cases, in which reformation was either hopeless, or too hazardous to attempt. Modern codifiers and moral philosophers have, without exception, adopted the same principle for their guide; and, pursuing it to a still greater extent, have effected still greater improvements on the ancient economy. It led eventually to the suggestion of the Penitentiary system, now so well tested by experience, as to have become nearly universal; and the idea has of late been carried so far as to have brought seriously in question, the right and utility of capital punishment, in any case. That strong confidence in the innate virtue of man, which was so conspicuous in the character of Mr. Jefferson, and which led him to exclude the agency of force from every member of the body politic, which came under his control, placed him at once on the high and humane ground, in relation to criminal jurisprudence, which forms a prominent object of prosecution with the philanthropists and utilitarians of the present day. The following letter, inclosing the Bill to one of his colleagues, for examination, is worthy of being preserved.

“Monticello, November 1, 1778.

“Dear Sir—I have got through the bill ‘for proportioning crimes and punishments in cases heretofore capital,’ and now enclose it to you with the request that you will be so good, as scrupulously to examine and correct it, that it may be presented to our committee, with as few defects as possible. In its style I have aimed at accuracy, brevity, and simplicity, preserving however, the very words of the established law, wherever their meaning had been sanctioned by judicial decisions, or rendered technical by usage. The same matter, if couched in the modern statutory language, with all its tautologies, redundancies, and circumlocutions, would have spread itself over many pages, and been unintelligible to those whom it most concerns. Indeed, I wished to exhibit a sample of reformation in the barbarous style, into which modern statutes have degenerated from their ancient simplicity. And I must pray you to be as watchful over what I have not said, as what is said; for the omissions of this bill have all their positive meaning. I have thought it better to drop, in silence, the laws we mean to discontinue, and let them be swept away by the general negative words of this, than to detail them in clauses of express repeal. By the side of the text I have written the notes I made, as I went along, for the benefit of my own memory. They may serve to draw your attention to questions, to which the expressions or the omissions of the

text may give rise. The extracts from the Anglo-Saxon laws, the sources of the Common Law, I wrote in their original, for my own satisfaction ; but I have added Latin, or liberal English translations. From the time of Canute to that of the Magna Charta, you know, the text of our statutes is preserved to us in Latin only, and some old French.

I have strictly observed the scale of punishments settled by the Committee, without being entirely satisfied with it. The *lex talionis*, although a restitution of the Common Law, to the simplicity of which we have generally found it so advantageous to return, will be revolting to the humanized feelings of modern times. An eye for an eye, and a hand for a hand, will exhibit spectacles in execution, whose moral effect would be questionable ; and even the *membrum pro membro* of Bracton, or the punishment of the offending member, although long authorized by our law, for the same offence in a slave, has, you know, been not long since repealed, in conformity with public sentiment. This needs reconsideration."

The Bill was brought forward in the Legislature, by Mr. Madison, in 1785, and lost by a single vote. The general intelligence of the country had not then progressed to a point, which was prepared to sanction the opinions of the Revisor on the subject of Capital Punishment. But it was well, perhaps, on the whole, that the Bill was rejected ; for it enabled the Author to effect a substantial improvement on his original plan : to wit, the substitution of labor in *solitary confinement*, for labor in the public works. The latter, it will be recollected, had been adopted by the Revisors, in the room of punishment by death ; but it had not then been essayed by any actual experiment. Afterwards, in 1786, the experiment was tried in Pennsylvania, for two years, without approbation, when it was followed by the Penitentiary system, on the principle of labor in confinement, which succeeded beyond calculation. About the same time Mr. Jefferson, in France, had heard of a benevolent society in England, which had been indulged by the government in an experiment of the effect of labor in solitary confinement, on some of their criminals ; which experiment was proceeding auspiciously. The same idea had been suggested in France, and an Architect of Lyons had proposed a well contrived plan of a Prison, on the principle of solitary confinement. Attentive to these valuable hints, Mr. Jefferson procured a drawing of the Prison proposed by this Architect ; and having a little before been written to by the Governor of Virginia, for a plan of a Capitol and Prison for that State,

he sent him the Lyons drawing, instead of a plan of a common prison ; “in the hope,” says he, “that it would suggest the idea of labor in solitary confinement, instead of that on the public works, which we had adopted in our Revised Code.” This was in June, 1786. The principle, accordingly, but not the exact form of the drawing, was preserved in carrying the plan into execution, by the erection of what is now called the Penitentiary, at Richmond. In the mean time, the increasing intelligence and sensibility of the age were preparing the way for the general sweep of capital revocations, recommended by the Revisors ; and the public opinion was ripening, by reflection, and by the example of Pennsylvania, for the adoption of the newly essayed substitute.

In 1796, therefore, after the steady humanization of ten years, the Legislature resumed the subject of the Criminal Law, and passed the Bill reported by Mr. Jefferson, with the substitution of solitary, in the room of public, labor. The diction of the text, also, was modernized, which the Author had scrupulously avoided, to prevent new questions by new expressions ; and, instead of the settled distinctions of murder and manslaughter, preserved by him, the new terms of murder in the first and second degree, were introduced. These alterations were probably not for the better, as they gave occasion for renewed questions of definition. The Bill was brought forward the last time, by Mr. G. K. Taylor, who was chiefly instrumental in procuring its passage, with the amendments.

The following brief preamble to the act, gives a forcible view of the general idea of the Author.

“Whereas, it frequently happens that wicked and dissolute men, resigning themselves to the dominion of inordinate passions, commit violations on the lives, liberties, and property of others, and, the secure enjoyment of these having principally induced men to enter into society, government would be defective in its principal purpose, were it not to restrain such criminal acts, by inflicting due punishments on those who perpetrate them ; but it appears at the same time, equally deducible from the purposes of society, that a member thereof, committing an inferior injury, does not wholly forfeit the protection of his fellow-citizens, but, after suffering a punishment in proportion to his offence, is entitled to their protection from all greater pain, so that it becomes a duty in the Legislature to arrange, in a proper scale, the crimes which it may be necessary for them to repress, and to adjust thereto a corresponding gradation of punishments.

“ And whereas, the reformation of offenders, though an object worthy the attention of the laws, is not effected at all by capital punishments, which exterminate, instead of reforming, and should be the last melancholy resource against those whose existence is become inconsistent with the safety of their fellow-citizens, which also weaken the State, by cutting off so many who, if reformed, might be restored sound members to society, who, even under a course of correction, might be rendered useful in various labors for the public, and would be living and long continued spectacles to deter others from committing the like offences.

“ And forasmuch as the experience of all ages and countries hath shown, that cruel and sanguinary laws defeat their own purpose, by engaging the benevolence of mankind to withhold prosecutions, to smother testimony, or to listen to it with bias, when, if the punishment were only proportioned to the injury, men would feel it their inclination, as well as their duty, to see the laws observed.

“ For rendering crimes and punishments, therefore, more proportionate to each other :

“ Be it enacted by the General Assembly,” &c.

We come now to consider the last, and clearly the most important scheme of public reformation contained in the Revised Code, forming, as it does, the entrance, and a perpetual guard, to the enjoyment of all the others. The system proposed for the Diffusion of Knowledge through the whole mass of the people, by extending to every degree of capacity, a proportional degree of education, and placing all upon an equal footing for obtaining the first and necessary degrees, was an original idea ; than which nothing would seem more admirably contrived for the foundation of a durable and well ordered republic. This portion of the work fell more properly within the department assigned to Mr. Pendleton ; but it was agreed, on the urgent recommendation of Mr. Jefferson, that a new and systematical plan of universal education should be proposed, and he was requested to undertake it. He did so, preparing three Bills for that purpose, proposing three distinct grades of instruction, in the following order : 1. Elementary schools, for all children generally, rich and poor, without distinction. 2. Colleges, or, as they are more usually styled in this country, Academics, for a middle degree of instruction, calculated for the common purposes of life, yet such as would be desirable for all who were in easy circumstances. 3. A University, in the room of William and Mary College, as the ultimate grade, for teaching the sciences generally, and in their highest degree.

The first and second Bills were devoted to the organization of this system ; and the third was for the establishment of a Public Library and Gallery, by the appropriation of a certain sum annually, to the purchase of books, paintings and statues.

The distribution and organization of the system, in all its parts, exhibit a model of republican equality, and harmonious arrangement. The Bill proposed the division of the State into twenty-four Districts, and the subdivision of these into Wards, called Hundreds, of five or six miles square, according to the size and population of the District. In each Hundred was to be established an Elementary School, in which should be taught reading, writing, and common arithmetic ; the expenses of which should be borne by the inhabitants of the County, every one in proportion to his general tax rate. All free children, male and female, resident in the Hundred, should be entitled to three years instruction at the school, free of expense, and to as much more as they chose, by paying for it. In each District was to be established an Academy, or Grammar School, to be supported at the public expense, in which should be taught the classics, grammar, geography, and the higher branches of numerical arithmetic.

The Bill provides further, for the annual selection of the most promising subjects from the Elementary schools, whose parents were too poor to educate them, who should be transferred to the District institutions, at the public expense. And from the District institutions also, a certain number annually were to be selected, of the most promising character, but whose parents were unable to incur the burthen, who should be sent on to the University, to receive the ultimate degree of intellectual cultivation. Genius and worth would thus be sought out of every walk of life ; and, to adopt a favorite sentiment of the Author, the veritable aristocracy of nature, would be completely prepared by the laws, for defying and defeating the pseudo-aristocracy of wealth and birth, in the competition for public trusts. The final result of the whole scheme would be the teaching all the children of the State reading, writing, and common arithmetic ; turning out upon the theatre of public life, a certain number, annually, of superior genius, well instructed in Greek, and Latin, Grammar, Geography, and the higher branches of Arithmetic ; turning out, also, a certain number, annually, of still superior parts, who, to those branches of education shall have ad-

ded the Sciences, in their perfection ; and the furnishing to the wealthier part of the people convenient schools, at which their children might be educated, at their own expense.

It was further in contemplation of the Author, had his system been carried into operation, to have imparted to the Wards, or Hundreds, all those portions of self-government, for which they are best qualified ; by confiding to them the care of their poor, their roads, police, elections, the nomination of jurors, administration of justice in small cases, and elementary exercises of militia ; in short, to have made them little *republics*, with a warden at the head of each, for all those concerns, which, being under their eye, they would better manage, than the larger republics, of the county, or State. A general call of Ward meetings by the wardens, on the same day throughout the State, would, at any time, embody the genuine sense of the people, on any required point, and present a forcible illustration of democratic government. The immeasurable utility of the proposed plan of education, cannot be comprehended in any way more readily, than by listening to the opinions of the Author, conveyed in his own language.

“The general objects of this law are to provide an education adapted to the years, to the capacity, and the condition of every one, and directed to their freedom and happiness. Specific details were not proper for the law. These must be the business of the visitors entrusted with its execution. The first stage of this education being the schools of the Hundreds, wherein the great mass of the people will receive their instruction, the principal foundations of future order will be laid here. Instead, therefore, of putting the Bible and Testament into the hands of the children, at an age when their judgments are not sufficiently matured for religious enquiries, their memories may here be stored with the most useful facts from Grecian, Roman, European and American history. The first elements of morality too, may be instilled into their minds ; such as, when further developed, as their judgments advance in strength, may teach them how to work out their own greatest happiness, by shewing them that it does not depend on the condition of life in which chance has placed them ; but is always the result of a good conscience, good health, occupation, and freedom in all just pursuits. Those, whom either the wealth of their parents, or the adoption of the State, shall destine to higher degrees of learning, will go on to the grammar schools, which constitute the next stage, there to be instructed in the languages. The learning Greek and Latin, I am told, is going into disuse in Europe. I know not what their manners and occupations may call for ; but it would be very ill-judged

in us to follow their example in this instance. There is a certain period of life, say from eight to fifteen or sixteen years of age, when the mind, like the body, is not yet firm enough for laborious and close operations. If applied to such, it falls an early victim to premature exertion : exhibiting, indeed, at first, in these young and tender subjects, the flattering appearance of their being men while they are yet children, but ending in reducing them to be children when they should be men. The memory is then most susceptible and tenacious of impressions ; and the learning of languages being chiefly a work of memory, seems precisely fitted to the powers of this period, which is long enough too, for acquiring the most useful languages, ancient and modern. I do not pretend that language is science : it is only an instrument for the attainment of science. But that time is not lost which is employed in providing tools for future operation : more especially, as in this case, the books put into the hands of the youth, for this purpose, may be such as will at the same time impress their minds with useful facts and good principles. If this period be suffered to pass in idleness, the mind becomes lethargic and impotent, as would the body it inhabits, if unexercised during the same time. The sympathy between body and mind, during their rise, progress, and decline, is too strict and obvious to endanger our being misled, while we reason from the one to the other. As soon as they are of sufficient age, it is supposed they will be sent on from the Grammar schools to the University, which constitutes our third and last stage, there to study those sciences which may be adapted to their views. By that part of our plan, which prescribes the selection of the youths of genius from among the classes of the poor, we hope to avail the State of those talents which nature has sown as liberally among the poor as the rich, but which perish without use, if not sought for and cultivated. But of the views of this law, none is more important, none more legitimate, than that of rendering the people the safe, as they are the ultimate guardians of their own liberty. For this purpose, the reading of the first stage, where *they* receive their whole education, is proposed, as has been said, to be chiefly historical. History, by apprizing them of the past, will enable them to judge of the future ; it will avail them of the experience of other times and other nations ; it will qualify them as judges of the actions and designs of men ; it will enable them to know ambition under every disguise it may assume ; and knowing it, to defeat its views. In every government on earth are some traces of human weakness, some germ of corruption and degeneracy, which cunning will discover, and wickedness insensibly open, cultivate and improve. Every government degenerates when trusted to the rulers of the people alone. The people themselves, then, are its only safe depositories. And to render them safe, their minds must be improved to a certain degree. This, indeed, is not all that is necessary, though it be essentially necessary. An amendment of our constitu-

tion must here come in aid of the public education. The influence over government must be shared among all the people. If every individual which composes their mass, participates of the ultimate authority, the government will be safe ; because the corrupting the whole mass will exceed any private resources of wealth : and public ones cannot be provided but by levies on the people. In this case, every man would have to pay his own price. The government of Great Britain has been corrupted, because but one man in ten has a right to vote for members of Parliament. The sellers of the government, therefore, get nine-tenths of their price clear. It has been thought that corruption is restrained by confining the right of suffrage to a few of the wealthier of the people ; but it would be more effectually restrained, by an extension of that right, to such numbers as would bid defiance to the means of corruption."

The three several Bills, for the Ward schools, the District institutions, the University, and for the establishment of a Library and Gallery, were all brought forward in the Legislature, in the year 1796. The first only was acted upon, and finally adopted ; but with an amendment which completely defeated it. They inserted a provision leaving it to the Court of each county, to determine for itself, when the act should be carried into execution. The effect of the bill being to throw on wealth the education of the poor, and the Justices, who were of the wealthier class, being unwilling to incur the responsibility, the plan was not suffered to commence in a single county. The bill which proposed erecting the College of William and Mary into a University, encountered insuperable impediments at the threshold. The present College was an establishment purely of the Church of England ; the Visitors were required to be all of that Church ; the Professors to subscribe its thirty-nine Articles ; the Students to learn its Catechism ; and one of its fundamental objects was declared to be, to raise up ministers for that Church. The religious jealousies, therefore, of the dissenters took alarm, lest the enlargement of the institution might give an ascendancy to the Anglican sect, and refused acting at all upon the bill. The Bill for the establishment of a Library and Gallery, received a similar fate ; and thus no part of this grand and beneficial system was ever permitted to take effect.

The unaccountable insensibility of the people of Virginia to the benefits of this noble scheme of practical reform, as manifested by their persevering neglect to carry it into operation, is feelingly deplored by the accomplished Continuator of Burk's History of Virginia.

“Why has not the admirable bill, which, by carrying education to every man’s door, would elicit genius and worth from their obscurest recesses, yet been acted upon by the great Council of the State? Is it less important than that for a reform of the penal code, the substance of which has since been so beneficially adopted? If we could presume to add any thing to the luminous developments of its impressive preamble, we would observe, that the situation of Virginia cannot always be so favorable to virtue, liberty, and good social order, as it is at present. Population will increase, and inherent principles of corruption and degeneracy be gradually, perhaps rapidly, evolved. To counteract their operation, let knowledge be universally diffused—Let it become the key-stone of the political edifice—we mean that knowledge, which, according to the true and important intent of the bill, will “render the people the safe, as they are the ultimate guardians of their liberties;” enable the governed to control the governors, and eventually to become so in their turn; in short, like the blood in the human system, pervade, animate, and energize all the parts of the body politic.”

The following is the Preamble which introduces the magnificent proposition :

Whereas it appeareth, that the great advantages, which civilized and polished nations enjoy, beyond the savage and barbarous nations of the world, are principally derived from the invention and use of letters, by means whereof the knowledge and experience of past ages are recorded and transmitted, so that man, availing himself in succession of the accumulated wisdom and discoveries of his predecessors, is enabled more successfully to pursue and improve, not only those arts which contribute to the support, convenience, and ornament of life, but those also, which tend to illumine and ennoble his understanding, and his nature.

And whereas, upon a review of the history of mankind, it seemeth that however favorable republican government, founded on the principles of equal liberty, justice and order, may be to human happiness, no real stability, or lasting permanency thereof can be rationally hoped for, if the minds of the citizens be not rendered liberal and humane, and be not fully impressed with the importance of those principles from whence these blessings proceed: With a view therefore, to lay the first foundations of a system of education, which may tend to produce those desirable purposes :

Be it enacted, &c.

Perhaps there was no one feature of the Revised Code, on which Mr. Jefferson placed a more justly exalted estimate, than that which proposed the diffusion of Education universally and impartially among the people. Knowledge is unquestionably, to use an ex-

pression of his own, "the key-stone of the political arch," in popular governments, and the only foundation which can be laid for permanent freedom and prosperity. Upon this point he was enthusiastically pertinacious. His efforts were perseveringly directed to the attainment of the object, in the form originally proposed by him, on all possible occasions which subsequently offered; and on his final retirement from the theatre of public affairs, he made it the great business of his life. Being in France, as before stated, at the time the main body of the Revisal was entered on, he was deprived the opportunity of raising his voice, and uttering his opinions in the Legislature, with the power and authority he had formerly done; but his letters to his friends in Virginia, of that date, abound with the most eloquent persuasions of the importance of carrying into effect those portions of the work, which he deemed most essential to the freedom and happiness of the people. Among these, the Bill under consideration occupied a prominent share of his solicitude; as is manifested by the following extract of a letter to Mr. Wythe, dated Paris, August 13, 1786.

"I think by far the most important bill in our whole code, is that for the diffusion of knowledge among the people. No other sure foundation can be devised for the preservation of freedom and happiness. If any body thinks, that kings, nobles, or priests are good conservators of the public happiness, send him here. It is the best school in the universe to cure him of that folly. He will see here, with his own eyes, that these descriptions of men are an abandoned confederacy against the happiness of the mass of the people. The omnipotence of their effect cannot be better proved, than in this country particularly, where, notwithstanding the finest soil upon earth, the finest climate under heaven, and a people of the most benevolent, the most gay and amiable character of which the human form is susceptible; where such a people, I say, surrounded by so many blessings from nature, are loaded with misery by kings, nobles, and priests, and by them alone. Preach, my dear Sir, a crusade against ignorance: establish and improve the law for educating the common people. Let our countrymen know, that the people alone can protect us against these evils, and that the tax which will be paid for this purpose, is not more than the thousandth part of what will be paid to kings, priests and nobles, who will rise up among us, if we leave the people in ignorance. The people of England, I think, are less oppressed than here. But it needs but half an eye to see, when among them, that the foundation is laid in their dispositions for the establishment of a despotism. Nobility, wealth, and pomp are the objects

of their admiration. They are by no means the free minded people, we suppose them in America. Their learned men, too, are few in number, and are less learned, and infinitely less emancipated from prejudice than those of this country."

Such are some of the extraordinary innovations on the established order of things, contained in the celebrated Revised Code of Virginia, in 1779; of all which, Mr. Jefferson was the originator and draughtsman. It is impossible, at the present day, to form an adequate idea of this stupendous political work, or of the combined energies of genius and application, which it required. On the authority of Mr. Madison we are enabled to say, "that it, perhaps, exacted the severest of Mr. Jefferson's public labors." It was unprecedented in the order of time, and stands on the page of history, the revered repository of the original, consecrate, foundations of republicanism. Well might his country apply to himself, the exulting congratulation which he applied to her, in proud antithesis with all the world besides: "What a germ have the freemen of the United States planted! And how faithfully should they cherish the parent tree at home." What a germ indeed! the growth of which the human imagination can scarcely circumscribe! Whose 'parent tree,' planted under the auspices of his care, and nourished by the genius of his philosophy, is stretching its branches higher and wider in the heavens, and striking its roots deeper and broader in the earth, carrying life, and strength, and the power of self-resurrection to the nations which sit time-pinioned in despotism, and rapidly enfranchising the world. How insignificant, empty, and inoperative, would have been the American Revolution, without the benefits secured by such labors as these. "Surely," says Mr. Jefferson in writing to one of his revolutionary friends, "we had in view to obtain the theory and practice of good government; and how any, who seemed so ardent in this pursuit, could as shamelessly have apostatized, and supposed we meant only to put our government into other hands, but not other forms, is indeed wonderful." The revolution from despotism or from simple monarchism even, to a free structure of government, is an enterprise of transcendent difficulty; no other nation on earth has been able to accomplish it, finally and completely, though the attempts have been frequent, desperate, and terrible. The most refined portions of the earth have been deluged with blood, and overspread with desola-

tion, to recover the high ground on which the State of Virginia planted herself, at once, with the whole American empire in her train, by the mere force of reason, without a solitary throe. And the whole of this magnificent undertaking, was executed during the short interval of three years, chiefly by a single individual, agreeably to a long premeditated plan, and carried into action, in great part, by his efforts ; supported, indeed, by able and faithful coadjutors from the ranks of the House, very effective as seconds, but who would not have taken the field as leaders. The whole catalogue of monarchical degeneracies and corruptions under which the transatlantic man has groaned, immemorially, and which were attempted to be entailed on this new hemisphere, were extirpated in a mass ; and an entire foundation laid for the bold and doubtful experiment of self-government. Freedom and elasticity were restored to the mind ; and *the natural equality of the human race*, the first maxim of the Author's political creed, was, as on all former occasions, the governing principle of his present general institute. Four of the bills reported were remarkable illustrations of this principle, sufficient "to crush forever the eternal antagonism of artificial aristocracy, against the rights and happiness of the people." They were marshalled in phalanx by the Author, for the express purpose of carrying out the principle of equality in all its latitude, as appears by his own record of the transaction.

"I considered four of these bills, passed or reported, as forming a system by which every fibre would be eradicated of ancient or future aristocracy ; and a foundation laid for a government truly republican. The *Repeal of the Laws of Entail* would prevent the accumulation and perpetuation of wealth, in select families, and preserve the soil of the country from being daily more and more absorbed in mortmain. The *Abolition of Primogeniture*, and equal partition of inheritances, removed the feudal and unnatural distinctions, which made one member of every family rich, and all the rest poor, substituting equal partition, the best of all Agrarian laws. The *Restoration of the Rights of Conscience* relieved the people from taxation for the support of a religion not theirs ; for the establishment was truly of the religion of the rich, the dissenting sects being entirely composed of the less wealthy people ; and these, by the *Bill for a General Education*, would be qualified to understand their rights, to maintain them, and to exercise with intelligence their parts in self-government : and all this would be effected, without the violation of a single natural right of any one individual citizen. To these, too, might be added, as a further security, the

introduction of the trial by jury into the Chancery Courts, which have already engulfed, and continue to engulf, so great a proportion of the jurisdiction over our property."

Among those who were associated with Mr. Jefferson in the great cause of reform, upon democratic grounds, and steadfastly co-operated in impressing the stamp of his principles upon the government of the nation, at the first crisis of its birth, the names of George Mason and James Madison, occupy a pre-eminent station. The characters of these distinguished republican statesmen, as drawn by their political chieftain, in his posthumous memoir of those times, are too interesting to be pretermitted.

"I had many occasional and strenuous coadjutors in debate, and one, most steadfast, able, and zealous ; who was himself a host. This was George Mason, a man of the first order of wisdom among those who acted on the theatre of the Revolution, of expansive mind, profound judgment, cogent in argument, learned in the lore of our former constitution, and earnest for the republican change, on democratic principles. His elocution was neither flowing nor smooth ; but his language was strong, his manner most impressive, and strengthened by a dash of biting cynicism, when provocation made it seasonable."

"Mr. Madison came into the House in 1776, a new member, and young ; which circumstances, concurring with his extreme modesty, prevented his venturing himself in debate, before his removal to the Council of State, in November, '77. From thence he went to Congress, then consisting of few members. Trained in these successive schools, he acquired a habit of self-possession, which placed at ready command the rich resources of his luminous and discriminating mind, and of his extensive information, and rendered him the first of every Assembly afterwards, of which he became a member. Never wandering from his subject into vain declamation, but pursuing it closely, in language pure, classical and copious, soothing always the feelings of his adversaries, by civilities and softness of expression, he rose to the eminent station which he held in the great National Convention of 1787 ; and in that of Virginia, which followed, he sustained the new constitution in all its parts, bearing off the palm against the logic of George Mason, and the fervid declamation of Mr. Henry. With these consummate powers, was united a pure and spotless virtue, which no calumny has ever attempted to sully. Of the powers and polish of his pen, and of the wisdom of his administration in the highest office of the nation, I need say nothing. They have spoken, and will forever speak for themselves."

Of Mr. Pendleton, also, who was his great opponent on all the ultra points of his theory, he has left a most interesting and flattering portrait.

“Mr. Pendleton, taken all in all, was the ablest man in debate I have ever met with. He had not, indeed, the poetical fancy of Mr. Henry, his sublime imagination, his lofty and overwhelming diction; but he was cool, smooth, and persuasive; his language flowing, chaste, and embellished; his conceptions quick, acute, and full of resource; never vanquished; for if he lost the main battle, he returned upon you, and regained so much of it as to make it a drawn one, by dexterous manœuvres, skirmishes in detail, and the recovery of small advantages which, little singly, were important altogether. You never knew when you were clear of him, but were harassed by his perseverance, until the patience was worn down of all who had less of it than himself. Add to this, that he was one of the most virtuous and benevolent of men, the kindest friend, the most amiable and pleasant of companions, which ensured a favorable reception to whatever came from him.”

Our detail of the public and official services of Mr. Jefferson, must now give place to an incident in private life, which discovers to view the richness of his social affections, and the warmth of his general philanthropy. On the memorable surrender of Burgoyne, in '77, it will be recollected, about four thousand British troops fell prisoners of war, into the hands of the American general; and by an express article in the capitulation, it was provided, that the surrendering army should be retained in America, until an authentic ratification of the Convention entered into between the belligerents, should be received from the British government. The troops were at first ordered to Boston, where they remained about a twelve-month, when they were removed to Charlottesville, in Virginia, a short distance from Monticello. They arrived at the latter destination, in January, 1779, harassed by a long journey, during a most inclement season, and doomed to encounter the severest hardships on their arrival, from the unfinished state of their barracks, the pressing insufficiency of stores, and the impassable condition of the roads, which rendered the prospect appalling, of a timely and competent supply of subsistence.

A general alarm was disseminated among the inhabitants, inso-much that reasonable minds became infected with the panic. Mr. Jefferson, whose steady prescience of a seasonable change in the state of things, preserved him from the contagion, remained tranquil

and unmoved. He stood among the multitude and exhorted them to patience and composure, by his reasonings on the inevitable tendency of affairs ; and soon, agreeably to his repeated persuasions, every difficulty disappeared, and every apprehension vanished. The planters, being more generally sellers than buyers, availed themselves, with great activity, of the advantages produced by the extraordinary demand for provisions, and quickly removed a scarcity merely accidental, to their own sensible benefit.

In the mean time, Mr. Jefferson mingled personally in the operations of erecting barracks for the privates, and establishing suitable accommodations for the officers, blending with his personal exertions, those affecting civilities and blandishments, which disarm even the dungeon of its horrors. It is true, these men were the willing instruments of a bloody and implacable enemy, foes themselves to the freedom and happiness of their benefactor, and who, he well knew, regarded him with such peculiar animosity, that under any other circumstances, they would have treated his offers of generosity with unqualified contempt ; they were the enemies of his country, of that country which he so dearly loved, and whose cries were now ascending to Heaven against the injuries and the liberticide purposes of its oppressors ; but yet, they were human beings, and, as such, entitled, in his opinion, to the same offices of kindness and hospitality, when in distress, as those who were united to him by the ties of national or even kindred alliance. He was indefatigable in his endeavors to render comfortable, and even happy, the situation of the captives ; and, aided by the benevolent interposition of the citizens of Charlottesville, and by the genius and humane dispositions of the Commissary, his exertions were attended with the most gratifying success. In a short time, the residence of the prisoners assumed a pleasing air of comfort and ease ; the barracks were completed, and a plentiful supply of provisions was procured. The officers had rented houses, at an extravagant rate, erected additional buildings, at their own expense, and hired small farms in the neighborhood, on which they beguiled the tedious hours of captivity, in the delightful occupations of agriculture and gardening. The men imitated, on a smaller scale, the example of the officers. The environs of the barracks presented a charming appearance. The ground was cleared, and divided into small parcels, in the form of regular gardens, neatly enclosed and cultivated. They purchased cows, sheep, poultry, and

other domestic animals, which, with the customary rural circumstances, embellished the landscape, and presented to the mind, the idea of a company of farmers, rather than a camp of soldiers.

In addition to the barracks erected by the public, the prisoners had built great numbers for themselves, on a more fanciful scale, and in groups, from a principle of *esprit de corps*. In short, the whole army, both officers and men, seemed comfortably quartered in their new accommodations, with every prospect of a permanent and happy resting place.

But these extensive preparations and promising arrangements were scarcely completed, when the Executive of Virginia, who had been invested by Congress with certain discretionary powers over the "Convention troops," as they were called, came to the determination of removing them, either wholly, or in part, from Charlottesville, on the alleged ground of the insufficiency of the State, for their animal subsistence. The rumored intelligence of this determination, filled the soldiers with the deepest regret and disappointment. Loud complaints were heard from every quarter, against the inhumanity of the measure; the nation was accused of having violated its faith; and such was the degree of effervescence among the prisoners, that irregular proofs of their dissatisfaction were seriously apprehended.

The generous citizens among whom they were located, participated largely in the general disapprobation. They contemplated the proposition, with mingled regret and mortification. The state of Mr. Jefferson's feelings may easily be imagined. His jealous sensibility for the national honor, and his ardent sympathies for the suffering captives, impelled him to immediate action. He addressed a long letter to Gov. Henry, in which he conducted him over the whole ground, and arrayed before him, in nervous and feeling terms, the multitude of public reasons, which obviously militated against the measure. The luminous and impressive developments of this letter, and the interest which all mankind feel in those efforts which are calculated to humanize the usages, and lessen the calamities of war, will justify the introduction of a few extracts.

"As an American, I cannot help feeling a thorough mortification, that our Congress should have permitted an infraction of our public honor; as a citizen of Virginia, I cannot help hoping and confiding, that our supreme Executive, whose acts will be considered

as the acts of the Commonwealth, estimate that honor too highly to make its infraction their own act. I may be permitted to hope, then, that if any removal takes place, it will be a general one; and, as it is said to be left to the Governor and Council to determine on this, I am satisfied, that, suppressing every other consideration, and weighing the matter dispassionately, they will determine upon this sole question, Is it for the benefit of those for whom they act, that the Convention troops should be removed from among them? Under the head of interest, these circumstances, viz. the expense of building barracks, said to have been £25,000, and of removing the troops backwards and forwards, amounting to I know not how much, are not to be pretermitted, merely because they are Continental expenses; for we are a part of the Continent; we must pay a shilling of every dollar wasted. But the sums of money, which, by these troops, or on their account, are brought into, and expended in this State, are a great and local advantage. This can require no proof. If, at the conclusion of the war, for instance, our share of the Continental debt should be twenty millions of dollars, or say that we are called on to furnish an annual quota of two millions four hundred thousand dollars, to Congress, to be raised by a tax, it is obvious, that we should raise these given sums with greater or less ease, in proportion to the greater or less quantity of money found in circulation among us. I expect that our circulating money is, by the presence of these troops, at the rate of \$30,000 a week, at the least. I have heard, indeed, that an objection arises to their being kept within this State, from the information of the commissary, that they cannot be subsisted here. In attending to the information of that officer, it should be borne in mind that the county of King William, and its vicinities, are one thing, the territory of Virginia, another. If the troops could be fed upon long letters, I believe the gentleman at the head of that department in this country would be the best commissary upon earth. But till I see him determined to act, not to write; to sacrifice his domestic ease to the duties of his appointment, and apply to the resources of this country, wheresoever they are to be had, I must entertain a different opinion of him. I am mistaken, if, for the animal subsistence of the troops hitherto, we are not principally indebted to the genius and exertions of Hawkins, during the very short time he lived after his appointment to that department, by your board. His eye immediately pervaded the whole State; it was reduced at once to a regular machine, to a system, and the whole put into movement and animation, by the *fiat* of a comprehensive mind. If the Commonwealth of Virginia cannot furnish these troops with bread, I would ask of the commissariat, which of the thirteen is now become the grain colony? If we are in danger of famine from the addition of four thousand mouths, what is become of that surplus of bread, the exportation of which used to feed the West

Indies and Eastern States, and fill the Colony with hard money? When I urge the sufficiency of this State, however, to subsist these troops, I beg to be understood, as having in contemplation the quantity of provisions necessary for their real use, and not as calculating what is to be lost by the wanton use, mismanagement, and carelessness of those employed about it. If magazines of beef and pork are suffered to rot by slovenly butchering, or for want of timely provision and sale; if quantities of flour are exposed by the commissaries entrusted with the keeping it, to pillage and destruction; and if, when laid up in the Continental stores, it is still to be embezzled and sold, the land of Egypt itself would be insufficient for their supply, and their removal would be necessary, not to a more plentiful country, but to more able and honest commissaries. * * *

"Their health is also of importance. I would not endeavor to show that their lives are valuable to us, because it would suppose a possibility, that humanity was kicked out of doors in America, and interest only attended to. The barracks occupy the top and brow of a very high hill, (you have been untruly told they were in a bottom.) They are free from fog, have four springs which seem to be plentiful, one within twenty yards of the piquet, two within fifty yards, and another within two hundred and fifty, and they propose to sink wells within the piquet. Of four thousand people, it should be expected, according to the ordinary calculations, that one should die every day. Yet, in the space of near three months, there have been but four deaths among them; two infants under three weeks old, and two others by apoplexy. The officers tell me, the troops were never before so healthy since they were embodied.

"But is an enemy so execrable, that, though in captivity, his wishes and comforts are to be disregarded and even crossed? I think not. It is for the benefit of mankind to mitigate the horrors of war as much as possible. The practice, therefore, of modern nations, of treating captive enemies with politeness and generosity, is not only delightful in contemplation, but really interesting to all the world, friends, foes, and neutrals. Let us apply this. * * *

[Here follows a detail of the labor and expense incurred in providing their present accommodations, &c.]

"Having thus found the art of rendering captivity itself comfortable, and carried it into execution, at their own great expense and labor, their spirit sustained by the prospect of gratifications rising before their eyes, does not every sentiment of humanity revolt against the proposition of stripping them of all this, and removing them into new situations, where from the advanced season of the year, no preparations can be made for carrying themselves comfortably through the heat of summer; and when it is known that the necessary advances for the conveniences already provided, have exhausted their funds and left them unable to make the like exertions anew.

Again ; review this matter as it may regard appearances. A body of troops, after staying a twelvemonth at Boston, are ordered to take a march of seven hundred miles to Virginia, where, it is said, they may be plentifully subsisted. As soon as they are there, they are ordered on some other march, because, in Virginia, it is said, they cannot be subsisted. Indifferent nations will charge this either to ignorance, or to whim and caprice ; the parties interested, to cruelty. They now view the proposition in that light, and it is said, there is a general and firm persuasion among them, that they were marched from Boston with no other purpose than to harass and destroy them with eternal marches. Perseverance in object, though not by the most direct way, is often more laudable than perpetual changes, as often as the object shifts light. A character of steadiness in our councils is worth more than the subsistence of four thousand people.

* * * *

“ To conclude. The separation of these troops would be a breach of public faith ; therefore I suppose it impossible. If they are removed to another State, it is the fault of the Commissaries ; if they are removed to any other part of the State, it is the fault of the Commissaries ; and in both cases, the public interest and public security suffer, the comfortable and plentiful subsistence of our own army is lessened, the health of the troops neglected, their wishes crossed, and their comforts torn from them, the character of whim and caprice, or, what is worse, of cruelty, fixed on us as a nation, and, to crown the whole, our own people disgusted with such a proceeding.

“ I have thus taken the liberty of representing to you the facts and the reasons, which seem to militate against the separation or removal of these troops. I am sensible, however, that the same subject may appear to different persons in very different lights. What I have urged as reasons, may, to sounder minds, be apparent fallacies. I hope they will appear, at least, so plausible, as to excuse the interposition of your Excellency’s most obedient and most humble servant.”

The reasonableness and cogency of this appeal, produced the intended effect. The Governor and Council, on a dispassionate review of the arguments submitted by Mr. Jefferson, were convinced, that the removal or separation of the troops, would be a breach of the public faith, and fix the character of unsteadiness, and what was worse, of cruelty, on the Councils of the nation. The proposition was accordingly abandoned, and the troops permitted to remain together at Charlottesville.

The liberal and high-minded conduct of Mr. Jefferson, on this occasion, and his uniform endeavors, during their confinement, to ameliorate their suffering condition, excited in the soldiers the liveli-

est emotions of gratitude. They loaded him with expressions of their sensibility ; and no time could obliterate the impression from their hearts. Subsequently, when Ambassador in Europe, Mr. Jefferson visited Germany ; and passing through a town where one of the Hessian corps, that had been at Charlottesville, happened to be in garrison, he met with Baron De Geismar, who immediately apprized his brother officers of the presence of their benefactor. They flocked around him, greeted him with affecting tokens of their remembrance, and spoke of America with enthusiasm.

On taking leave of Charlottesville, the principal officers, Major Generals Phillips and Riedesel, Brigadier Specht, C. De Geismar, J. L. De Unger, and some others, addressed him letters, expressive of their lasting attachment, and bidding him an affectionate adieu. Phillips emphatically extols his "delicate proceedings." Riedesel repeatedly and fervently pours out his thanks, and those of his wife and children. To all these letters, Mr. Jefferson returned answers, replete with sentiments of politeness and generosity, of the highest order. Some of these answers have been preserved. "The great cause which divides our countries," he replied to Phillips, "is not to be decided by individual animosities. The harmony of private societies cannot weaken national efforts. To contribute, by neighborly intercourse and attention, to make others happy, is the shortest and surest way of being happy ourselves. As these sentiments seem to have directed your conduct, we should be as unwise as illiberal, were we not to preserve the same temper of mind."

To General Riedesel he thus wrote : "The little attentions you are pleased to magnify so much, never deserved a mention or thought. ——— Opposed as we happen to be, in our sentiments of duty and honor, and anxious for contrary events, I shall, nevertheless, sincerely rejoice in every circumstance of happiness and safety which may attend you personally."

To Lieutenant De Unger, who wrote in French with an air of great *naivete*, he replied in the following manner : "The very small amusements which it has been in my power to furnish, in order to lighten your heavy hours, by no means merited the acknowledgements you make. Their impression must be ascribed to your extreme sensibility rather than to their own weight. When the course of events shall have removed you to distant scenes of action, where laurels not moistened with the blood of my country, may

be gathered, I shall urge my sincere prayers for your obtaining every honor and preferment which may gladden the heart of a soldier. On the other hand, should your fondness for philosophy resume its merited ascendancy, is it impossible to hope, that this unexplored country may tempt your residence, by holding out materials, wherewith to build a fame, founded on the happiness, and not on the calamities of human nature? Be this as it may, a philosopher or a soldier, I wish you personally many felicities." De Unger was a votary of literature and science. He was a frequent visitor at the hospitable mansion of Mr. Jefferson, and enjoyed in his library advantages, which, his taste combined with his situation to render doubly precious. Other officers loved music and painting; they found in him a rich and cultivated taste for the fine arts. They were astonished, delighted; and their letters to several parts of Germany, gave of the American character, ideas derived from that exalted specimen. These letters found their way into several Gazettes of the ancient world, and the name of Jefferson was associated with that of Franklin, whose fame had then spread over Europe. "Surely," says an historian,* "this innocent and bloodless conquest over the minds of men, whose swords had originally been hired to the oppressors of America, was in itself scarcely less glorious, though in its effects less extensively beneficial, than the splendid train of victories which had disarmed their hands."

CHAPTER VII.

On the 1st of June, 1779, Mr. Jefferson was elected Governor of the Commonwealth of Virginia; and retired from the Legislature, with the highest dignity within the scope of their appointment. Political distinctions being then unknown, the ballot box determined the exact value put upon the abilities of public characters. Being but thirty-six years old, his personal ascendancy must have been great to have outweighed the sanctimonious and almost irresistible predisposition for age and experience, in selecting the Executive

* Girardin, p. 327.

head. The result, however, was not unnatural. The connection of his name, in such distinguished forms, with the most important revolutionary transactions, especially the Declaration of Independence, and his bold and rapid succession of reformatations, in the municipal Legislature, substituting republicanism in the room of monarchy, throughout, had established a reputation, whose pre-eminence was justly undisputed and indisputable. Yet, with so many claims to the gratitude and confidence of his country, it is stated as an historical fact, that he received the intelligence of his election with unaffected regret. The metaphysical attachments of his mind were unsuited to the pomp and perturbation of office ; and patriotic devotion alone, could induce him to relinquish a sphere of action, in which the labors of the statesmen might be occasionally intermingled with the tranquil pursuits of philosophy, and the pleasures of domestic retirement.

A circumstance attended his elevation to the office of Chief Magistrate, which is entitled to special consideration and regard. It was one of the noblest and most endearing traits of Mr. Jefferson's character, that he never would permit his personal attachments to be weakened by public rivalries or political animosities. The most affecting proofs of his adherence to this rare species of magnanimity, through seasons of unparalleled political rancor, adorn the later portions of his public history. On the present occasion, his intimate friend, John Page, a patriotic and high-minded gentleman, imprudently permitting himself to be nominated, shared with him the suffrages of the Legislature. It is not improbable, that the extreme liberality of Mr. Jefferson's opinions, on certain important points, had rallied in opposition to him, the remnants of that avenging aristocracy, whom he had so often and so gloriously vanquished ; federating with the personal and political friends of Mr. Page, with or without his connivance, they might be able to make a sensible diversion from the principal candidate, which would account for the actual result of the vote. Be this as it may, Mr. Jefferson would permit no such construction to rest on his own mind, and alienate him from his friend, whatever might be the constructions of the world, to which he was absolutely invulnerable ; and he entreated his involuntary rival to remain forever easy under this assurance. In reply to a card of explanation from him, he wrote the following letter.

“Williamsburg, June 22, 1779.

“Dear Page,—I received your letter by Mr. Jamieson. It had given me much pain, that the zeal of our respective friends should ever have placed you and me in the situation of competitors. I was comforted, however, with the reflection, that it was their competition, not ours, and that the difference of the numbers which decided between us, was too insignificant to give you a pain, or me a pleasure, had our dispositions towards each other been such as to admit those sensations. I know you too well to need an apology for any thing you do, and hope you will for ever be assured of this ; and as to the constructions of the world, they would only have added one to the many sins for which they are to go to the devil. As this is the first, I hope it will be the last, instance of ceremony between us. A desire to see my family, which is in Charles City, carries me thither to-morrow, and I shall not return till Monday. Be pleased to present my compliments to Mrs. Page, and add this to the assurances I have ever given you, that I am, dear Page, your affectionate friend.”

Immediately on assuming the helm of administration, Mr. Jefferson directed the weight of his station, and the powers confided to him, towards reclaiming the enemy to the principles of humanity, in the treatment of American prisoners. He had seen with sensibility, that the conduct of the British officers, civil and military, had in the whole course of the war, been savage, and unprecedented among civilized nations ; that American officers and soldiers, captivated by them, had been loaded with irons—consigned to crowded gaols, loathsome dungeons, and prison-ships—supplied often with no food, generally with too little for the sustenance of nature, and that little so unsound and unwholesome, as to have rendered captivity and death almost synonymous with them ; that they had been transported beyond seas, where their fate could not be ascertained, or compelled to take arms against their country, and by a refinement in cruelty, to become the murderers of their own brethren.

On the other hand, the treatment extended to British prisoners, by American victors, had been marked, he well knew, with singular moderation and clemency. They had been supplied, on all occasions, with wholesome and plentiful food, provided with comfortable accommodations, suffered to range at large within extensive tracts of country, permitted to live in American families, to labor for themselves, to acquire and enjoy property, and finally, to participate in the principal benefits of society, while privileged from all its burthens. In some cases they had been treated with elegant hospitality, and refin-

ed courtesy. We have already witnessed the gratifying spectacle of four thousand British troops, prisoners of war, relieved suddenly from an accumulation of miseries, and raised, some to a state of dignified ease, all to a condition of competency and comfort, chiefly by his own private enterprises, seconded by the liberality and munificence of his fellow citizens.

Reviewing this contrast, which could not be denied by the enemy themselves, in a single point, and which had been continued by them for a term of time, which forbade any longer hope of winning them over to the practice of humanity, by the law of kindness and generosity, Governor Jefferson felt impelled, by a sense of public justice, to substitute a system of rigorous and dreadful retribution. He felt "called on," in the impressive language of his order, "by that justice we owe to those who are fighting the battles of our country, to deal out miseries to their enemies, measure for measure, and to distress the feelings of mankind by exhibiting to them spectacles of severe retaliation, where we had long and vainly endeavored to introduce an emulation in kindness."

Happily, the fortune of war had thrown into his power, some of those very individuals, who, having distinguished themselves personally in the practice of cruelties, were proper subjects on which to begin the work of retaliation. Among these were Henry Hamilton, who, for some years past, had acted as Lieutenant Governor of the settlement at Detroit, under Sir Guy Carlton; Philip Dejean, Justice of the Peace for Detroit, and William Lamothe, captain of volunteers,—taken prisoners of war by Colonel Clarke at Fort St. Vincents, and brought under guard to Williamsburg, early in June, '79. Proclamations under his own hand, and the concurrent testimony of indifferent witnesses, proved Governor Hamilton a remorseless destroyer of the human race, instead of an honorable national enemy. He had excited the Indians to perpetrate their accustomed atrocities upon the citizens of the United States, with an eagerness and ingenuity, which evinced, that the general nature of the employment harmonized with his particular disposition. He gave standing rewards for scalps, but offered none for prisoners, which induced the Indians, after compelling their captives to carry their baggage into the neighborhood of the fort, to butcher them at last, and carry in their scalps to the Governor, who welcomed their return and success by a discharge of cannon; and the few American prisoners

spared by his blood-hounds, were doomed by him to a captivity of lingering and complicated tortures, terminating in death. Concerning Dejean and Lamothe, it was well ascertained, that they had, on all occasions, been the ready and cordial instruments of Hamilton; the former, acting in the double capacity of judge and jailor, had instigated him by malicious insinuations, to increase rather than relax his severities, and had aggravated the cruelty of his orders, by his manner of executing them; the latter, as commander of volunteer scalping parties, Indians and whites, had desolated the frontier settlements by his marauding excursions, devoting to indiscriminate destruction, men, women, and children, and stimulating by his example, the fury of his execrable banditti.*

Possessed, by the force of American arms, of such fit subjects as these, on which to make the first demonstrations of retributive justice, and coerce the enemy into the usages of civilized warfare, Governor Jefferson issued an order, in conformity to the advice of his Council, directing the above named prisoners to be put in irons, confined in the dungeon of the public gaol, debarred the use of pen, ink, and paper, and excluded from all conversation, except with their keeper.

Major General Phillips, who continued near Charlottesville in dignified captivity, having read in the Virginia Gazette, the energetic order of the Governor, immediately addressed him a remonstrance on the subject. In his communication, he endeavored to invalidate the testimony against Hamilton, and to extenuate his conduct; expressed doubts respecting the authority of any particular State to enter upon retaliation, which he supposed belonged exclusively to Congress; expatiated largely on the sacred nature of a capitulation, which, in the present case, he contended, exempted the prisoner from the severe punishment inflicted on him, whatever his previous conduct might have been; and in conclusion, entreated the Governor to reconsider the subject. "From my residence in Virginia," he adds, "I have conceived the most favorable idea of the gentlemen of this country; and from my personal acquaintance with you, Sir, I am led to imagine it must have been very dissonant to the feelings of your mind, to inflict such a weight of

* Jefferson's Works, Vol. 1. Appendix, Note A.

misery and stigma of disgrace upon the unfortunate gentleman in question."

Whatever may have been the feelings of Mr. Jefferson, when no superior obligation stood in the way, (and none had better reason to honor them than General Phillips and his fellow captives,) his present situation, as Chief Magistrate, required the stern subordination of those feelings to the service of his country, and the general good of mankind. His own opinion was, that all persons taken in war, as well those who surrendered on capitulation, as those who surrendered at discretion, were to be deemed prisoners of war, and liable to the same treatment; except only so far as they were protected by the express terms of their capitulation. In the surrender of Governor Hamilton, no stipulation was made as to the treatment of himself or his fellow prisoners. The Governor, indeed, upon signing, had added a flourish of reasons, which induced him to capitulate, one of which was, the generosity of his victorious enemy. 'Generosity, on a large and comprehensive scale, thought Mr. Jefferson, dictated the making a signal example of the gentleman; but waiving that, these were only the private motives inducing him to surrender, and did not enter into the contract of the antagonist party.' He continued in the belief, therefore, that the bare existence of a capitulation, did not privilege Hamilton from confinement, there being in that contract no positive stipulation to that effect. The importance of the point, however, in a national view, and his great anxiety for the honor of the government, under a charge of violated faith by one of its supreme functionaries, induced him to submit the question to the Commander in Chief: sensible that there was no other person whose opinion would so authoritatively decide the doubt in the public mind, or to which he was disposed so implicitly to conform.

General Washington saw with pleasure the Executive of his native State, entering with commendable energy, upon a course of measures, which the conduct of the enemy had rendered necessary. But, entertaining doubts as to the real bearing and extent of the capitulation in question, and concurring with Mr. Jefferson, in a sacred respect for the laws and usages of civilized nations, he recommended a relaxation of severities, after a fair trial of the practical effect of the present proceeding. One solemn inculcation would have been administered; Virginia would have it in her

power to repeat it. This alone might produce the intended reformation, and remove the horrid necessity of individual chastisement, for national barbarities.

Influenced by the advice of the Commander in Chief, the more as it harmonized with the better dictates of his understanding, Governor Jefferson re-considered the case of the captives, and issued a second order in council, mitigating the severity of the first, though not compromising the right, in any one point. A single specimen of the early State papers of Mr. Jefferson, is the least that will be required by the reader, while it is all that our limits will allow. There is something peculiarly elevated in the sentiment and diction of all his Executive mandates.

“In Council, September 29, 1779.

“The board having been, at no time, unmindful of the circumstances attending the confinement of Lieutenant Governor Hamilton, Captain Lamothe, and Philip Dejean, which the personal cruelties of those men, as well as the general conduct of the enemy, had constrained them to advise: wishing, and willing to expect that their sufferings may lead them to the practice of humanity, should any future turn of fortune, in their favor, submit to their discretion the fate of their fellow creatures; that it may prove an admonition to others, meditating like cruelties, not to rely for impunity in any circumstances of distance or present security; and that it may induce the enemy to reflect, what must be the painful consequences, should a continuation of the same conduct on their part impel us again to severities, while such multiplied subjects of retaliation are within our power; sensible that no impression can be made on the event of the war, by wreaking vengeance on miserable captives, that the great cause which has animated the two nations against each other, is not to be decided by unmanly cruelties on wretches, who have bowed their necks to the power of the victor, but by the exercise of honorable valor in the field; earnestly hoping that the enemy, viewing the subject in the same light, will be content to abide the event of that mode of decision, and spare us the pain of a second departure from kindness to our captives: confident that commiseration to our prisoners is the only possible motive, to which can be candidly ascribed, in the present actual circumstances of the war, the advice we are now about to give; the board does advise the Governor to send Lieutenant Governor Hamilton, Captain Lamothe, and Philip Dejean, to Hanover court house, there to remain at large, within certain reasonable limits, taking their parole in the usual manner. The Governor orders accordingly.”

Agreeably to the above order, a parole was drawn up and tendered the prisoners. It required them to be inoffensive in word as well as deed; to which they objected, insisting on entire freedom of speech. They were, consequently, remanded to their confinement, which was now to be considered voluntary. Their irons, however, were knocked off. The subaltern prisoners, soon after, subscribed the proffered parole, and were enlarged; but Hamilton, aspiring to the fame of a martyr in the royal cause, and expecting ample remuneration for his magnified distresses, by future promotion, long refused to follow. Upon being informed by General Phillips, who had been exchanged, that his sufferings would be perfectly gratuitous, he at last complied.

These vigorous measures of Governor Jefferson produced the effects anticipated. In the first moments of passion, the British resorted to what they improperly termed, retaliation; being a revival only, in more hideous forms, of their established practices—therefore, to be deemed original and unprovoked in every new instance. A declaration was also issued, that no officers of the Virginia line should be exchanged till Hamilton's affair should be satisfactorily settled. When this information was received, the Governor immediately ordered all exchange of British prisoners to be stopped, with the determination to use them as pledges for the safety of Americans in like circumstances. "It is impossible," he writes to General Washington, "they can be serious in attempting to bully us in this manner. We have too many of their subjects in our power, and too much iron to clothe them with, and, I will add, too much resolution to avail ourselves of both, to fear their pretended retaliation." Effectual measures were taken for ascertaining, from time to time, the situation and treatment of American captives, with a view to retaliate, on the enemy, corresponding treatment in all cases; and the prison ship, fitted up on the recommendation of Congress, was ordered to a proper station, for the reception and confinement of such as should be sent to it. "I am afraid," he again writes to the Commander in Chief, "I shall hereafter, perhaps, be obliged to give your Excellency some trouble in aiding me to obtain information of the future usage of our prisoners. I shall give immediate orders for having in readiness every engine, which the enemy have contrived for the destruction of our unhappy citizens captivated by them. The presentiment of these operations is shocking beyond

expression. I pray Heaven to avert them; but nothing in this world will do it, but a proper conduct in the enemy. In every event, I shall resign myself to the hard necessity under which I shall act."

The Governor was not insensible to the aggravation of misery, which the first exercises of his policy brought on those unfortunate citizens of the United States, who were in the power of the enemy. On the contrary, he entered feelingly into their situation, and encouraged them, by persuasive appeals to their fortitude, and by those fascinating descriptions of future glory, which so powerfully affect the soldier, to bear up against a temporary increase of personal suffering, for the lasting and general benefit of their country. An interesting letter of his to Colonel Matthews, an officer of the Virginia line, whose parole had been retracted by the enemy, in consequence of the new measures, has recently been given to the world. It explains the motives, and the beneficial tendency of his policy, in a forcible and engaging manner.

"It gives us great pain that any of our countrymen should be cut off from the society of their friends and tenderest connections, while it seems as if it was in our power to administer relief. But we trust to their good sense for discerning, and their spirit for bearing up against the fallacy of this appearance. * * *

Humane conduct on our part, was found to produce no effect; the contrary, therefore, was to be tried. If it produces a proper lenity to our citizens in captivity, it will have the effect we meant; if it does not, we shall return a severity as terrible as universal. If the causes of our rigor against Hamilton were founded in truth, that rigor was just, and would not give right to the enemy to commence any new hostilities on their part; and all such new severities are to be considered, not as retaliation, but as original and unprovoked. If those causes were not founded in truth, they should have denied them. If, declining the tribunal of truth and reason, they choose to pervert this into a contest of cruelty and destruction, we will contend with them in that line, and measure out misery to those in our power, in that multiplied proportion which the advantage of superior numbers enables us to do. We shall think it our particular duty, after the information we gather from the papers which have been laid before us, to pay very constant attention to your situation, and that of your fellow prisoners. We hope that the prudence of the enemy will be your protection from injury; and we are assured that your regard for the honor of your country would not permit you to wish we should suffer ourselves to be bullied into an acquiescence, under every insult and cruelty they may

choose to practise, and a fear to retaliate, lest you should be made to experience additional sufferings. Their officers and soldiers in our hands are pledges for your safety ; we are determined to use them as such. Iron will be retaliated by iron, but a great multiplication on distinguished objects ; prison ships by prison ships, and like for like in general. * * *

I beg you to be assured, there is nothing consistent with the honor of your country, which we shall not, at all times, be ready to do for the relief of yourself and companions in captivity. We know, that ardent spirit and hatred for tyranny, which brought you into your present situation, will enable you to bear up against it with the firmness, which has distinguished you as a soldier, and to look forward with pleasure to the day, when events shall take place, against which the wounded spirits of your enemies will find no comfort, even from reflections on the most refined of the cruelties with which they have glutted themselves. I am, &c."

These inspiring sentiments of the Executive, lifted the hearts of the American prisoners, to the fortitude of martyrs. They acquiesced, with god-like heroism, in the stern necessity, which dictated the oblivion of their private distresses, in the prospect of the general amelioration of captivated man. Nor was this delightful anticipation wholly disappointed. The practical inculcation of such a lesson, produced a sensible humiliation in the conduct of the enemy, through the subsequent stages of the war. The door of British magnanimity, which was barred to the dictates of reason, justice, and national honor, was compelled, reluctantly, to yield to the cries of their own countrymen, and the fatal admonitions of experience.

These details, we are aware, are disproportioned to the general scale of our narrative ; but they evince how thoroughly *American* was the heart of Mr. Jefferson, subduing all its sympathies for his British brethren, however powerful they were before, the moment they came in conflict with the well being of his countrymen. Extreme sensibility almost invariably begets weak magistrates ; and the examples are equally rare, of civil rulers, who have united to a general philanthropy so acute, a love of country so predominant and exclusive.

In the same national spirit which guided his military operations, he engaged in a civil transaction of extensive and solid utility to to the Commonwealth. Upon the mediation of Spain, offered about this time, sanguine hopes were entertained of an approach-

ing pacification ; and Congress, in settling their ultimatum, had intimated, that the principal of *uti possidetis* should be recognized in adjusting the boundaries of the several States. Whereupon, Governor Jefferson instituted active measures for extending the western establishments of Virginia, with a view to secure, by actual possession, the right of that State in its whole extent, to the Mississippi. He engaged a company of scientific gentlemen to proceed, under an escort, to the Mississippi, and ascertain, by celestial observation, the point on that river intersected by the latitude of thirty six and a half degrees, the southern limit of the State ; and to measure its distance from the mouth of the Ohio.

The brave and enterprising Colonel Clarke, who, by a series of unparalleled successes over the Indians, had already secured extensive acquisitions to Virginia, was selected by the Governor to conduct the military operations. He was directed, so soon as the southern limit on the Mississippi should be ascertained, to select a strong and commanding position, near that point, and to establish there a Fort and garrison ; thence to extend his conquests northward to the Lakes, erecting Forts at different points, which might serve as monuments of actual possession, besides affording protection to that portion of the country. Under these orders, Fort Jefferson, in compliment to the founder of the enterprize, was erected and garrisoned on the Mississippi, a few miles above the southern limit. The final result of this patriotic expedition, was the addition to the chartered limits of Virginia, of that immense tract of country north west of the Ohio river, which includes the present States of Indiana, Illinois, Ohio in part, and the Michigan Territory.

The following year, 1780, on the urgent recommendation of Governor Jefferson, and in compliance with the wishes of Congress, a resolution passed the Legislature, generously ceding to the United States, the whole of this vast extent of unappropriated territory. This important event removed the great obstacle to the ratification of the Confederacy between the States. Upon transmitting the resolution to the President of Congress, the Governor wrote : " I shall be rendered very happy if the other States of the Union, equally impressed with the necessity of the important convention in prospect, shall be willing to sacrifice equally to its completion. This single event, could it take place shortly, would outweigh every success which

the enemy have hitherto obtained, and render desperate the hopes to which those successes have given birth."

To this magnanimous resolution, were appended the well known sentiments of Mr. Jefferson, with respect to the navigation of the Mississippi, and the necessity of securing a free Port at the mouth of that river.

In the course of one month after the adoption of this measure, the Confederation was completed.

On the first of June, 1780, Mr. Jefferson was re-elected Governor by the unanimous vote of the Legislature. During his second gubernatorial term, Virginia, which had hitherto been distant from the seat of war, was destined to be made the theatre of a campaign more arduous, perilous and distressing, than perhaps distinguished any other period of the Revolution. Three systematic invasions, by numerous and veteran armies, inundated the State, in quick and terrible succession; nor could there have been a more unfavorable concurrence of circumstances, for offering an adequate resistance, than existed during the whole time these formidable operations were carried on. Virginia was completely defenceless; her physical resources were exhausted; her troops had been drawn off to the South and to the North, to meet the incessant demands in those quarters, and the Continental army was too much reduced to afford her any important succors. The militia constituted the only force on which any reliance could be placed; and the resort to this force was limited by the deficiency of arms, which was aggravated by the pressing destitution of the finances. Indeed, the general condition of the country, at the South, exhibited a deplorable aspect. The city of Charleston, with the main body of the Continental army, had fallen into the hands of Lord Cornwallis; and the haughty victor, inflated with success, had proclaimed his intention of pushing his advances northward, on a magnificent scale of conquest, subjugating in his course, the entire States of North Carolina and Virginia, and devoting the inhabitants to unconditional submission, or the sword.

Intelligence of these menacing calculations had no sooner reached Virginia, than the Governor commenced the most vigorous measures for recreating the army, and putting the country in a firm posture of defence. For this purpose, he was invested by the Legislature with new and extraordinary powers. Should the State be

invaded, 20,000 militia were placed at his disposal ; he was empowered to impress provisions and other articles, for the public service, and likewise, to lay an embargo in the ports of the Commonwealth, whenever expedient. He was authorized to confine or remove all persons suspected of disaffection ; and to subject to martial law individuals acting as spies or guides to the enemy, or in any manner aiding, abetting, and comforting them, or disseminating among the militia the seeds of discontent, mutiny and revolt. He was directed to invigorate the laboratory for the manufacture of arms, which had, of late, been languishing ; and, at the same time, to provide proper magazines for warlike stores. To meet the pecuniary exigencies of the times, paper emissions were necessarily multiplied ; and new taxes were devised.

These defensive arrangements were scarcely enacted, when their execution was suddenly suspended, by the appearance in the Chesapeake, of a strong British armament, under the command of General Leslie. Resistance by maritime means, being unavailable at this juncture, the Governor immediately collected as large a body of militia as he could equip, to prevent the debarkation of the enemy ; but the alarm of the inhabitants, whose first care was to secure their wives, children, and movable property, together with the insufficiency of arms, rendered his exertions ineffectual. It was to him a source of anguish and mortification, to think, that a people able and zealous to repel the invader, should be reduced to impotency, by the want of defensive weapons. The enemy landed at different points, but soon concentrated their forces in Portsmouth, fortified themselves, and remained in close quarters, until they retreated on board their ships. It appears this force had been detached by Cornwallis, to invade Virginia by water, occupy Portsmouth for the purposes of support and safe rendezvous, and join the main army under his command, on its entrance, by land, into the southern borders of the State. But the precipitate retreat of Cornwallis into South Carolina, in consequence of serious reverses in that quarter, defeated Leslie's anticipated junction with the main army, and compelled his sudden departure from the State, leaving his works unfinished and undestroyed. The principal injury resulting from this invasion, was the loss of a quantity of cattle, collected for the use of the southern army, and seized by the enemy immediately after disembarking. Indeed, the conduct of this detachment, whilst in Vir-

ginia, was an honorable exception, in all respects, to that savage and predatory system, which had hitherto marked the footsteps of British conquest. "I must," writes the Governor to General Washington, "do their General and Commander the justice to observe, that in every case, which their attention and influence could reach, as far as I have been informed, their conduct was such as does them the greatest honor. In the few instances of wanton and unnecessary devastation, they punished the aggressors." To the firmness of Mr. Jefferson, in the case of Hamilton, history ascribes in great part, this reputable deviation from a mode of warfare, which all mankind must abhor.*

This hostile armament had scarcely left the coast, when Virginia was surprised by another invasion, of a more formidable character, from an unexpected quarter. The parricide Arnold, apprised of the vulnerable condition of Virginia, on the sea board, projected the plan of a second attack by a naval force. He embarked from New York, at the instance of Sir Henry Clinton, and on the 30th of December, 1780, was seen entering the Capes of Virginia, with twenty-seven sail of vessels. He ascended James river, and landed about fifteen miles below Richmond. On the approach of a hostile force into the heart of the State, the inhabitants were thrown into consternation. The Governor made every effort for calling in a sufficient body of militia to resist the incursion; but, being dispersed over a large tract of country, they could be collected but slowly. Richmond being evidently the object of their attack, every effort was necessary for immediately securing the arms, military stores, records, &c. from the ravages of the profligate invader. He hastily embodied about two hundred half armed militia, for the purpose of protecting the removal of the records, military stores, &c. to the opposite side of James river. He superintended their movements in person: and was seen urging, by his presence, the business of transportation, and coolly issuing his orders, until the enemy had actually entered the lower part of the town, preceded by a body of light horse. Soon the whole regiment poured into Richmond, and commenced the work of pillage and conflagration. They burnt the foundry, the boring mill, the magazine, a number of dwelling houses, the books and papers of the Auditor's and the Council office, and retired

* History of Virginia, vol. 4, p. 421.

the next day. Within less than forty-eight hours, they had penetrated thirty-three miles into the country, committed the whole injury, and retreated down the river. The Governor himself narrowly escaped being taken, owing to the suddenness of the attack, and his continuance on the scene of danger, at an unreasonable hour, for the purpose of securing the public property. He had previously sent off his family to Tuckahoe, eight miles above Richmond, on the same side of the river ; but did not join them himself until 1 o'clock in the night. He returned the next morning, and continued his personal attendance in the vicinity of the metropolis, during the whole invasion, to the imminent exposure of his life ; and yet, the virulence of party spirit has imputed to him not only flagrant remissness, but a want of common courage on this occasion !

Arnold shortly after encamped at Portsmouth, where he remained for a long time, in close quarters, panic struck with guilt, and harrowed by the tortures of the lowest hell. The capture of this execrable traitor had, from the moment of his perfidy, been an object of eager pursuit with all the patriots. Mr. Jefferson was induced to consider the plan practicable, while in his present situation.

The following letter to General Muhlenburgh, dated Richmond, January 31, '81, develops the scheme which he laid for the accomplishment of so desirable an object.

“ Sir,—Acquainted as you are with the treasons of Arnold, I need say nothing for your information, or to give you a proper sentiment of them. You will readily suppose, that it is above all things desirable to drag him from those, under whose wing he is now sheltered. On his march to and from this place, I am certain it might have been done with facility, by men of enterprise and firmness. I think it may still be done, though perhaps, not quite so easily. Having peculiar confidence in the men from the western side of the mountains, I meant, as soon as they should come down, to get the enterprise proposed to a chosen number of them, such, whose courage and whose fidelity would be above all doubt. Your perfect knowledge of those men personally, and my confidence in your discretion, induce me to ask you to pick from among them, proper characters, in such numbers as you think best ; to reveal to them our desire ; and engage them to undertake to seize and bring off this greatest of all traitors. Whether this may be best effected by their going in as friends, and awaiting their opportunity, or otherwise, is left to themselves. The smaller the number, the better, so that they may be sufficient to manage him. Every necessary caution must be used on their part, to prevent a discovery of their design by the enemy.

I will undertake, if they are successful in bringing him off alive, that they shall receive five thousand guineas reward among them; and to men formed for such an enterprise, it must be a great incitement to know, that their names will be recorded with glory in history, with those of Vanwert, Paulding and Williams."

Bold and adventurous spirits were found in Muhlenburg's corps, who panted to undertake the daring enterprise; but Arnold had become cautious and circumspect, beyond the reach of stratagem; he lay buried in close confinement at Portsmouth, suffered no stranger to approach him, and never afterwards unguardedly exposed his person. The project, therefore, was rendered abortive.

The real situation of Virginia, at this period, is forcibly depicted in the letters and dispatches of the Governor. "The fatal want of arms," he wrote on the 8th of February, "puts it out of our power to bring a greater force into the field than will barely suffice to restrain the adventures of the pitiful body of men the enemy have at Portsmouth. Should they be reinforced, the country will be perfectly open to them by land as well as by water." "I have been knocking at the door of Congress," he again wrote on the 17th, "for aids of all kinds, but especially of arms, ever since the middle of summer. The speaker, Harrison, is gone to be heard on that subject. Justice, indeed, requires that we should be aided powerfully. Yet, if they would only repay us the arms we have lent them, we should give the enemy trouble, though abandoned to ourselves." On the same day, he addressed the Commander in Chief, as follows: "Arms and a naval force, are the only means of salvation for Virginia. Two days ago, I received information of the arrival of a sixty-four gun ship and two frigates, in our Bay, being part of the fleet of our good Ally, at Rhode-Island. Could they get at the British ships, they are sufficient to destroy them, but these are drawn up into Elizabeth river, into which the sixty-four cannot enter. I apprehend they could do nothing more than block up the river. This, indeed, would reduce the enemy, as we could cut off their supplies by land; but the operation requiring much time, would probably be too dangerous for the auxiliary force. Not having yet had any particular information of the designs of the French commander, I cannot pretend to say what measures this will lead to."

This desperate situation of affairs was aggravated by the arrival in the Bay, of two thousand additional British troops, under the

command of Major General Phillips. This powerful reinforcement shortly after formed a junction with Arnold, and the combined forces, under Phillips, immediately renewed, on a more extensive scale than heretofore, their favorite system of predatory and incendiary incursions into all parts of the unprotected country. They captured and laid waste Williamsburg, Petersburg, and several minor settlements; and pursued their destroying advances from village to village, until they were arrested in their vandal career, by the gallant defender of universal liberty—the immortal La Fayette.

During the ferocious and discursive operations of Phillips and Arnold, the Governor remained constantly in and about Richmond, exerting all his powers for collecting the militia, and providing such means for the defence of the State, as its exhausted resources admitted. Never assuming a guard, and with only the river between him and the enemy, his lodgings were frequently within four or five miles of them, and his personal exposure, consequently, very great.

But the grand and final movement against Virginia, compared to which, the previous invasions were feeble and desultory efforts, remains to be mentioned. On the 20th of May, 1781, Lord Cornwallis entered the State, on the southern frontier, with an army of four thousand men. His entry was almost triumphal; and, proceeding directly to Petersburg, where he formed a junction with the forces under Phillips and Arnold, he established head quarters, and commenced his vaunted plan of subduing the whole State.

This alarming event happened but a few days previous to the close of Mr. Jefferson's administration; and, in view of the awful crisis which impended over his native State, he felt it his duty, before resigning the government into other hands, to make one, last, solemn appeal to the Commander in Chief, for those important succors, so often before solicited, and on which now evidently depended the salvation of the Commonwealth.

* * * * * “Your Excellency will judge from this state of things, and from what you know of our country, what it may probably suffer during the present campaign. Should the enemy be able to produce no opportunity of annihilating the Marquis's army, a small proportion of their force may yet restrain his movements effectually, while the greater part are employed, in detachment, to waste an unarmed country, and lead the minds of the people to acquiescence under those events, which they see no human power prepared to ward off. We are too far re-

moved from the other scenes of war to say, whether the main force of the enemy be within this State. But I suppose they cannot any where spare so great an army for the operations of the field. Were it possible for this circumstance to justify in your Excellency, a determination to lend us your personal aid, it is evident from the universal voice, that the presence of their beloved countryman, whose talents have so long been successfully employed in establishing the freedom of kindred States, to whose person, they have still flattered themselves they retained some right, and have ever looked up, as their dernier resort in distress, would restore full confidence of salvation to our citizens, and would render them equal to whatever is not impossible. I cannot undertake to foresee and obviate the difficulties which lie in the way of such a resolution. The whole subject is before you, of which I see only detached parts: and your judgment will be formed on a view of the whole. Should the danger of this State, and its consequence to the Union, be such, as to render it best for the whole that you should repair to its assistance, the difficulty would then be, how to keep men out of the field. I have undertaken to hint this matter to your Excellency, not only on my own sense of its importance to us, but at the solicitations of many members of weight in our Legislature, which has not yet assembled to speak their own desires."

"A few days will bring to me that relief which the constitution has prepared for those oppressed with the labors of my office, and a long declared resolution of relinquishing it to abler hands, has prepared my way for retirement to a private station: still, as an individual, I should feel the comfortable effects of your presence, and have (what I thought could not have been) an additional motive for that gratitude, esteem, and respect, with which I have the honor to be," &c.

This interesting letter was written but three days previous to the expiration of his second gubernatorial year; at which time, he had long cherished the determination of relinquishing the administration in favor of a successor, whose habits, dispositions and pursuits, would render him better fitted for the supreme direction of affairs, at such a crisis. "From the belief," said he, "that, under the pressure of the invasion, under which we were then laboring, the public would have more confidence in a military chief, and that the military commander being invested with the civil power also, both might be wielded with more energy, promptitude and effect for the defence of the State, I resigned the administration at the end of my second year, and General Nelson was appointed to succeed me." His successor was elected, on the 12th of June, 1781.

The closing events of Mr. Jefferson's administration, having excited much attention, and occasioned some misrepresentation, a few additional observations, founded on authentic documents, may not be unacceptable to the candid reader.

Ever since the invasion of the metropolis, under Arnold, in January, '81, and the sudden dispersion, by that event, of the General Assembly, the legislative functions of the government had been almost totally suspended ; the members had re-assembled on the first of March, but after a few days session, were compelled to adjourn ; they met again on the 7th of May, but the threatening movements of the enemy, again compelled them, on the 10th, to adjourn to Charlottesville, to met on the 24th. During this long and critical interval, therefore, the main burden of public affairs had devolved on the Governor. The weight of anxiety, of responsibility, of personal labor and suffering, which he was called on to endure, no one, who is a stranger to that disastrous period, can adequately conceive. In the discharge of the arduous and multiplied services, which were required to conduct the administration through a series of formidable invasions, he was cool, sagacious, vigilant, and indefatigable ; but, without continental aids, confined to the resources of the State, exhausted of them, in great part, by the draughts he had furnished to other States, and limited in his resort to the remainder, by the destitution of arms, his exertions were nearly paralyzed, and the public mind began seriously to despond.

In addition to the multiplied irruptions from the East and the South, Virginia had had a powerful army to oppose on her Western frontier. The English and Indians were incessantly harassing her in that quarter, by their savage incursions. At length, the powerful army under Cornwallis, poured into the State, and filled up the measure of public danger and distress. The Legislature, which had hastily adjourned from Richmond to Charlottesville, had scarcely assembled at the latter place, when they were driven thence by the enemy, over the mountains to Staunton. This was on the last days of May. Pursued and hunted, in this manner, from county to county, with the armies of the enemy in the heart of the State, destitute of internal resources, and aided only by the inconsiderable regular force under La Fayette, many members of that heroic Assembly became dissatisfied, discouraged,

desperate ; and in the phrenzy of the moment, began to resuscitate the deceased and damning project of Dictator. Some, indeed, were so infatuated as to deem the measure not only salutary and advisable, but as presenting the only hope of deliverance at this alarming juncture. An individual,* who had borne a distinguished and exemplary part in the anterior transactions of the Revolution, was already designated for the contemplated office. But it was foreseen with dismay by the dictator men, that no headway could be made with such a proposition, against the transcendent popularity and influence of the present Executive ; it was necessary, as a first measure, that he should be put completely *hors de combat*. For this purpose, his official character was attacked ; the misfortunes of the period, were imputed to the imbecility of his administration ; he was impeached in a loose, informal way, and a day for some species of hearing, at the succeeding session of the Assembly, was appointed. But no evidence was ever offered to sustain the impeachment ; no question was ever taken upon it, disclosing in any manner, the approbation of the legislature ; and the hearing was appointed by general consent, for the purpose, as many members expressed themselves, of giving Mr. Jefferson an opportunity of demonstrating the absurdity of the censure. Indeed, the whole effort at impeachment was a mere feint, designed to remove Mr. Jefferson out of the question, for the present, and to make manifest, if possible, the necessity of a Dictator. It failed, however, in both objects ; the effect on Mr. Jefferson was entirely the reverse of what had been intended ; and as to the proposed dictatorship, the pulse of the Assembly was incidentally felt in the debates on the state of the Commonwealth, and in out-door conversations, the general tone of which, foretold such a violent opposition to the measure, as induced the original movers to abandon it with precipitation. This was the second instance of a similar attempt in that State, and of a similar result, caused chiefly by the virtuous and insuperable ascendancy of the same individuals.

While these things were going on at Staunton, Mr. Jefferson was distant from the scene of action, at Bedford, neither interfering himself, nor applied to by the Legislature for any information touching the charges preferred against him ; but so soon as the project

* Mr. Henry.

for a dictator was dropped, *his resignation of the Government appeared*. This produced a new scene ; the dictator men insisted upon re-electing him ; but his friends strenuously opposed it, on the grounds, that as he had divested himself of the government to heal the divisions of the Legislature, at that critical season, for the public good ; and to meet the accusation upon equal terms, for his own honor, his motives were too strong to be relinquished, and too fair to be withstood. Still, on the nomination of General Nelson, the most popular man in the State, and without an enemy in the Legislature, a considerable portion of the Assembly voted for Mr. Jefferson.

On the day appointed for the hearing before mentioned, Mr. Jefferson appeared in the House of Delegates, having been intermediately elected a member. No one offered himself as his accuser. Mr. George Nicholas, who had been seduced to institute the proceeding, and who afterwards paid him an homage equally honorable to both,* having satisfied himself, in the interim, of the utter groundlessness of the charges, declined the further prosecution of the affair. Mr. Jefferson, nevertheless, rose in his seat, addressed the House in general terms upon the subject, and expressed his readiness to answer any accusations which might be preferred against him. Silence ensued. Not a word of censure was whispered. After a short pause, the following resolution was proposed, and adopted unanimously by both Houses.†

“Resolved, That the sincere thanks of the General Assembly be given to our former Governor, THOMAS JEFFERSON, Esq. for his impartial, upright and attentive administration, whilst in office. The Assembly wish in the strongest manner to declare the high opinion which they entertain of Mr. Jefferson’s ability, rectitude, and integrity, as Chief Magistrate of this Commonwealth, and mean, by thus publicly avowing their opinion, to obviate and to remove all unmerited censure.”

A few days after the expiration of Mr. Jefferson’s constitutional term of office, and before the appointment of his successor, an incident occurred which has been so strangely misrepresented, in later times, as to justify a relation of the details.

* G. Nicholas’ letter to his constituents—Kentucky.

† Most of this relation is copied with verbal precision from the statement of an eye-witness of the whole transaction, inserted in the Appendix to the Continuation of Burk’s History of Virginia.

Learning that the General Assembly was in session at Charlottesville, Cornwallis detached the "ferocious Tarlton," as notoriously styled, to proceed to that place, take by surprise the members, seize on the person of Mr. Jefferson, whom they supposed still in office, and spread devastation and terror on his route.

Elated with the idea of an enterprise so congenial to his disposition, and confident of an easy prey, Tarlton selected a competent body of men, trained to habitual licentiousness by unrestrained indulgence and the demoralizing influence of example, and proceeded with ardor on his ignoble expedition. Early in the morning of June 4th, when within about ten miles of his destination, he detached a troop of horse, under Captain McCleod, to Monticello, the well known seat of Mr. Jefferson; and proceeded himself with the main body, to Charlottesville, where he expected to find the Legislature unapprised of his movement. The alarm, however, had been conveyed to Charlottesville, about sunrise the same morning, and thence quickly to Monticello, only three miles distant. The Speakers of the two Houses, were lodging with Mr. Jefferson at his house. His guests had barely time to hurry to Charlottesville, adjourn the Legislature over to Staunton, and, with most of the other members, to effect their escape. He immediately ordered his carriage, in which Mrs. Jefferson and her children were conveyed to the house of Colonel Carter, on the neighbouring mountain, while himself tarried behind, breakfasted as usual, and completed some necessary arrangements preparatory to his departure. Suddenly, a messenger, Lieutenant Hudson, who had descried the rapid advance of the enemy, drove up at half speed, and gave him a second and last alarm; stating that the enemy were already ascending the winding road, which leads to the summit of Monticello, and urging his immediate flight. He then calmly ordered his riding horse, which was shoeing at a neighboring blacksmiths, directing him to be led to a gate opening on the road to Colonel Carter's, whither he walked by a cross path, mounted his horse, and, instead of taking the high road, plunged into the woods of the adjoining mounting, and soon rejoined his family. In less than ten minutes after Mr. Jefferson's departure, his house was surrounded by the impetuous light horse, thirsting for their noble prey. They entered the mansion of the patriot, with a flush of expectation proportioned to the value of their supposed victim; and, notwithstanding the

chagrin and irritation which the first discovery of their disappointment excited, a sacred and honorable regard was manifested for the usages of enlightened nations at war. Mr. Jefferson's property was respected, especially his books and papers, by the particular injunctions of M'Cleod. So much does the conduct of soldiers, depend on the principles and temper of their officers.

This is the famous adventure of Carter's mountain, which has been so often and so scandalously caricatured in the licentious chronicles of partisan controversy. Had the facts been accidentally stated, it would have appeared, that this favorite fabrication amounted to nothing more, than that Mr. Jefferson did not remain in his house, and there fight, single handed, a whole troop of horse, whose main body, too, was within supporting distance, or suffer himself to be taken prisoner. It is somewhat singular, that this egregious offence was never heard of until many years after, when most of that generation had disappeared, and a new one risen up. Although the whole affair happened some days before the abortive attempt at impeachment, yet neither his conduct on this occasion, nor his pretended flight from Richmond, in January previous, were included among the charges.

Having accompanied his family one day's journey, Mr. Jefferson returned to Monticello. Finding the enemy retired, with few traces of depredation, he again rejoined his family, and proceeded with them to an estate he owned in Bedford; where, galloping over his farm one day, he was thrown from his horse, and disabled from riding on horse-back for a considerable time. But the federal version of the story found it more convenient to give him this fall in his retreat before Tarlton, some weeks anterior, as a proof that he withdrew from a troop of horse, with a precipitancy which Don Quixote would not have practiced.

M'Cleod tarried about eighteen hours at Monticello, and Tarlton about the same time at Charlottesville, when the detachments reunited, and retired to Elkhill, a plantation of Mr. Jefferson's. At this place, Cornwallis had now encamped, with the main army, and established head quarters. Some idea may be formed of the vandalism practiced by the British, during their continuance at Elkhill, and, indeed, through the whole succeeding part of that campaign, from the following extract of a letter, written by Mr. Jefferson, on

a special request. It is dated July 16th, 1788, and addressed to Dr. Gordon, one of the compilers of our revolutionary history.

“Cornwallis remained in this position ten days, his own headquarters being in my house, at that place. I had time to remove most of the effects out of the house. He destroyed all my growing crops of corn and tobacco; he burned all my barns, containing the same articles of the last year, having first taken what corn he wanted; he used, as was to be expected, all my stock of cattle, sheep, and hogs, for the sustenance of his army, and carried off all the horses capable of service; of those too young for service, he cut the throats; and he burned all the fences on the plantation so as to leave it an absolute waste. He carried off also about thirty slaves. Had this been to give them freedom, he would have done right; but it was to consign them to inevitable death from the small-pox and putrid fever, then raging in his camp. This I knew afterwards to be the fate of twenty-seven of them. I never had news of the remaining three, but presume they shared the same fate. When I say that Lord Cornwallis did all this, I do not mean that he carried about the torch in his own hands, but that it was all done under his eye; the situation of the house in which he was, commanding a view of every part of the plantation, so that he must have seen every fire. I relate these things on my own knowledge, in a great degree, as I was on the ground soon after he left it. He treated the rest of the neighborhood somewhat in the same style, but not with that spirit of total extermination with which he seemed to rage over my possessions. Wherever he went, the dwelling-houses were plundered of every thing which could be carried off. Lord Cornwallis' character in England would forbid the belief that he shared in the plunder; but that his table was served with the plate thus pillaged from private houses, can be proved by many hundred eye-witnesses. From an estimate I made at that time, on the best information I could collect, I supposed the State of Virginia lost under Lord Cornwallis' hands, that year, about thirty thousand slaves; and that of these, about twenty-seven thousand died of the small-pox and camp-fever, and the rest were partly sent to the West Indies, and exchanged for rum, sugar, coffee, and fruit, and partly sent to New York, from whence they went, at the peace, either to Nova Scotia or England. From this last place, I believe they have been lately sent to Africa. History will never relate the horrors committed by the British army, in the *southern* States of America. They raged in Virginia six months only, from the middle of April to the middle of October, 1781, when they were all taken prisoners; and I give you a faithful specimen of their transactions for ten days of that time, and on one spot only. *Ex pede Herculem.* I suppose their whole devastations during those six months, amounted to about three millions sterling.”

We are now hurried, with instinctive pleasure, from the distressing scenes of war and confusion, to a delightful interval in Mr. Jefferson's life, in which he recurred with eagerness, to the sober and refreshing pursuits of science.

During the early part of the turbulent year of '81, while disabled from active employment by the fall from his horse, he found sufficient leisure to compose his celebrated "Notes on Virginia"; than which, no other work in the English language, of the same magnitude, possesses more substantial merits, or has attained a more extensive and abiding reputation. This was the only original publication in which he ever embarked; nor was the present work prepared with any intention, whatever, of committing it to the press. Its history is a little curious.

M. de Marbois, of the French legation, in Philadelphia, having been instructed by his government to obtain such statistical accounts of the different States of the Union, as might be useful for their information, addressed a letter to Mr. Jefferson, containing a number of queries relative to the State of Virginia. These queries embraced an extensive range of objects, and were designed to elicit a general view of the geography, natural productions, government, history, and laws of the Commonwealth. Mr. Jefferson had always made it a practice, when travelling, to commit his observations to writing; and to improve every opportunity, by conversations with the inhabitants, and by personal examination, to enlarge his stock of information on the physical and moral condition of the country.

These memoranda were on loose pieces of paper, promiscuously intermixed, and difficult of recurrence, when occasion required the use of any particular one. He improved the present opportunity, therefore, to digest and embody the substance of them, in the order of M. de Marbois queries, so as to answer the double purpose of gratifying the wishes of the French government, and of arranging them for his own convenience. Some friends, to whom they were occasionally communicated in manuscript, requested copies; but their volume rendering the business of transcribing too laborious, he proposed to get a few printed, for their private gratification. He was asked such a price, however, as exceeded, in his opinion, the importance of the object, and abandoned the idea. Subsequently, on his arrival in Paris in '84, he found the printing could be ob-

tained for one fourth part of what he had been asked in America. He thereupon revised and corrected the work, and had two hundred copies printed, under the modest title which it bears. He gave out a very few copies, to his particular friends in Europe, writing in each one a restraint against its publication; and the remainder he transmitted to his friends in America. An European copy, by the death of the owner, having got into the hands of a Paris bookseller, he engaged a hireling translation, and sent it into the world in the most injurious form possible. "I never had seen," says the Author, "so wretched an attempt at translation. Interverted, abridged, mutilated, and often reversing the sense of the original, I found it a blotch of errors from beginning to end." Under these circumstances, he was urged by the principle of self defence, to comply with the request of a London bookseller, to publish the English original; which he accordingly did. By this means, it soon became extensively the property of the public, and advanced to a high degree of popularity. The work has since been translated into all the principal tongues of Europe, and run through a large number of editions in England, France,* and America.

The principal attractions of this unambitious volume are, the solid mass of science, natural and historical, which it contains; its sound philosophy in matters of government, religion, morals, &c.; its triumphant vindication of the man of America, aboriginal and emigrant, and the other cis-atlantic animals, against the fanciful and contumelious theories of European philosophers; the quantity and variety of general information on useful collateral subjects, which it embraces; and the beauty and unpretending simplicity of its style.

The first five chapters, in pursuance of the order of M. de Marbois queries, are occupied with geographical details, comprehending a description of the extent and boundaries of Virginia; a circumstantial account of its rivers, their navigableness, and connections with the Atlantic; a philosophical view of its stupendous mountains, its beautiful cascades, caverns, and other interesting curiosities of nature, with the phenomena attending them. Our limits will not permit us to indulge in quotations, or the reader should be gratified with the Author's description of the passage of the Potowmac

* The celebrated Abbe Morellet published a translation of his Notes, in 1786.

through the Blue Ridge, which he calls 'one of the most stupendous scenes in nature, and worth a voyage across the Atlantic.'

The sixth chapter commences with a minute and scientific notice of the mines, minerals, mineral waters, and other subterraneous treasures of the State, interspersed with interesting speculations in geology and cosmogeny ; branches thence into the boundless regions of the botanical kingdom, presenting an elaborate synopsis of its trees, plants, fruits, and every variety of vegetable growth, spontaneous and cultivated ; and concludes with a luminous and learned dissertation on the brute animals, and on the man of America, exhibiting a comparative view of the size of the former, and the prowess, physical and intellectual, of the latter, with those of their corresponding species in Europe.

In treating this part of the subject, the Author indulges a latitude of enquiry, for the purpose of vindicating the character of his rising country, against the ignorant or malevolent aspersions of European physiologists, particularly Mons. de Buffon and the Abbe Raynal. By the former of these celebrated naturalists, the opinion had been gravely advanced, that the animals *common* to both the old and new world, were smaller in the latter ; that those *peculiar* to the new were on a smaller scale, and exhibited fewer species ; that those which have been domesticated in both, have degenerated in America ; and that the same inherent inferiority marked the aboriginal man of this continent ;—by the latter, this degrading hypothesis had been extended, so as to comprehend the white man, and European emigrant, as well as the native inhabitant. These visionary opinions, built on strained speculation, and not on fact, or the legitimate deductions of science, have been scouted by the increasing intelligence of succeeding times, yet they were generally believed, by the learned and unlearned, until overthrown by the Author of this work. Instead of opposing one hypothesis to another, and relying on grounds merely speculative, he met and refuted the positions of his learned antagonists, by bringing them, at once, to the standard of fact and experiment. He measures and weighs the animal of each species, in the old and new world, and by a tabular comparative statement of the result, reduces the whole question to a mere matter of arithmetical calculation.

In illustrating the intellectual equality of the American aborigines, he appeals to the living monuments of their genius, and chal-

lenges the annals of European eloquence, to produce a single passage superior to the celebrated speech of Logan, a Mungo chief. In refutation of the pretended degeneracy of the white man of America, he appeals to examples of moral greatness, whose memories shall flourish and be revered, when the sapient calumniators of America shall have been consigned to oblivion.

"In war, we have produced a Washington, whose memory will be adored while liberty shall have votaries; whose name will triumph over time, and will in future ages assume its just station among the most celebrated worthies of the world, when that wretched philosophy shall be forgotten, which would have arranged him among the degeneracies of nature. In physics, we have produced a Franklin, than whom no one of the present age has made more important discoveries, or has enriched philosophy with more, or more ingenious solutions of the phenomena of nature. We have supposed Mr. Rittenhouse second to no astronomer living: that in genius he must be first, because he is self-taught. As an artist he has exhibited as great a proof of mechanical genius as the world has ever produced. He has not indeed made a world; but he has by imitation approached nearer its Maker, than any man who has lived from the creation to this day. As in philosophy and war, so in government, in oratory, in painting, in the plastic art, we might show that America, though but a child of yesterday, has already given hopeful proofs of genius, as well of the nobler kinds, which arouse the best feelings of man, which call him into action, which substantiate his freedom, and conduct him to happiness, as of the subordinate, which serve to amuse him only."

The six succeeding heads of enquiry, proposed by M. de Marbois, opened the way for the ingenious lucubrations of the Author, on the climate of Virginia, its varieties, changes, and their causes; the number of inhabitants, of every age, sex, and color, with some valuable observations on the dangers of foreign influence in the affairs of our government, arising from excessive emigration; on the number and condition of the militia and regular troops, with the manner in which they are embodied and recruited; on the number and condition of the Indian tribes established in the State, their manners, customs, and history, with an ingenious solution of the great question respecting the origin of this singular race of people, on philological grounds. A knowledge of their several languages he considered as furnishing the most certain evidence of their derivation. Under this idea, he spent thirty years in endeavoring to procure Indian vocabularies to the same set of words. He had collected about

fifty, and digested them in collateral columns. Of the two hundred and fifty words of his vocabularies, and the one hundred and thirty words of the great Russian vocabularies of the languages of the other quarters of the globe, seventy-three were common to both, and would have furnished materials, from which something satisfactory might have resulted; but, by an "irreparable misfortune," as he termed it, the whole, both digest and originals, were stolen from a trunk while ascending James river, thrown into the river by the thief, and but a small fragment of them was ever recovered.

Under the query relative to the several charters of the State, and its present form of government, Mr. Jefferson presents a compact statistical view of the Colony, from the first settlement under the grant of Queen Elizabeth, in 1584, down to the time at which he wrote; gives the outlines of the existing Constitution, and enumerates what he considers its capital defects.

A brief notice of these defects, and the remedies which he proposed, will explain more fully, as was promised, the opinions of Mr. Jefferson on the Constitution of Virginia, being the first republican charter ever known. In the appendix to the volume under review, is inserted a new Constitution, prepared by himself, in 1783, when it was expected the Assembly of Virginia would call a Convention for remodeling the old one,—an event which he long and vainly desired to see. This draught corresponds, in all its main features, with the one prepared by him while in Congress, in 1776, and transmitted to the Convention in Virginia, then sitting for that purpose, though received too late to be adopted.

Among the palpable defects of the existing establishment, he enumerates: 1. The want of universal suffrage,—or rather such an extension of the elective franchise, as would give a voice in the government to all those who pay and fight for its support. This is the vital principle of a pure democracy; and Mr. Jefferson appears to have been the first politician, of whom we have any information, who ventured forth publicly as its advocate. Possessed of a large estate himself, and gratified with the enjoyment of every honor, no personal ambition could be supposed to enter into his motives, and his opinion was received with great weight. The principle has since been incorporated, with greater or less modifications, into the Constitutions of almost all the States. The predominance of the landed influence, family aristocracy, and a general repugnance to risk-

ing innovations, have hitherto retained the freehold qualification in Virginia ; though its rigor has been modified by recent amendments. The success of the experiment, wherever it has been tried, has abundantly tested the soundness of the principle.

2. Inequality of representation. This deformity pervaded the first republican charter of Virginia, to an astonishing degree. Mr. Jefferson detects and exposes the evil in a strong light, by a tabular statement of the relative number of electors and representatives in each county ; and calls the attention of his countrymen to the subject, in an impressive manner. According to his statement, the county of Warwick, with only one hundred electors, had an equal representation with the county of Loudon, having 1700 electors ; and taking the State at large, 19,000 men in one part, were enabled to give law to upwards of 30,000 in the remaining part. This defect was remedied by the late Constitution.

3. The Senate is necessarily too homogeneous with the House of Delegates. Being chosen by the same electors, at the same time, and out of the same subjects, the choice falls of course on the same description of men ; defeating thereby the great purpose of establishing different Houses of legislation, which is to introduce the influence of different interests or different principles.

4. The want of a sufficient barrier between the legislative, judiciary, and executive powers of the government. The concentration of these in the same hands, constituted, in his opinion, the precise definition of despotism. By the Constitution of Virginia, they all *resulted* to the same body, the Legislature, though they were exercised by different bodies. He proclaims a solemn warning against this heresy, and invokes an immediate application of the remedy ; urging, that the time to guard against corruption and tyranny, is before they shall have seized the heads of the government, and been spread by them through the body of the people. " It is better," says he, " to keep the wolf out of the field, than to trust to drawing his teeth and talons after he shall have entered."

5 and 6. Finally, as objections of the greatest magnitude, Mr. Jefferson argued, that the Constitution itself was a mere legislative ordinance, enacted at a critical time, for a temporary purpose, not superior to the ordinary Legislature, but alterable by it ; and that the Assembly, possessing the right, as they did, of determining a quorum of their own body, might convert the government into an

absolute despotism, at any moment, by consolidating all its powers, and placing them in the hands of a single individual. To the joint operation of these two defects, aided by the inauspicious temper of the times, he ascribed the infatuated attempt of the Legislature, in 1776, repeated in '81, to surrender the liberties of the people into the hands of a Dictator. He concludes his remarks upon the Constitution by a solemn appeal to the people, for their speedy interposition.

“Our situation is indeed perilous, and I hope my countrymen will be sensible of it, and will apply, at a proper season, the proper remedy; which is a Convention to fix the Constitution, to amend its defects, to bind up the several branches of government by certain laws, which, when they transgress, their acts shall become nullities; to render unnecessary an appeal to the people, or in other words, a rebellion, on every infraction of their rights, on the peril that their acquiescence shall be construed into an intention to surrender those rights.”

Under the enquiry concerning the administration of justice, &c. the Author presents a view of the judiciary system of Virginia, framed, indeed, by himself, in '76—with a general description of the laws. With a modesty peculiar to himself, he alludes to the Revised Code, as a work which had been “executed by three gentlemen”—glances at the most important reformatations which it introduced, but carefully conceals every circumstance which might indicate his participation in that splendid structure of republican jurisprudence. In commenting upon the benevolent provisions recommended in this Code, for the future disposition of the blacks, the genius of the Author appears again in its favorite element. He insists upon colonization to a distant country, as the only safe and practicable mode of ultimate redemption; and urges strong reasons of policy as well as necessity against their being retained in the State, and incorporated among the race of whites. “Deep rooted prejudices entertained by the whites; ten thousand recollections by the blacks, of the injuries they have sustained; new provocations; the real distinctions which nature has made; and many other circumstances, will divide us into parties, and produce convulsions, which will probably never end, but in the extermination of the one or the other race.” To these distinctions, which are political, he adds many others, which are physical and moral; but space is not allowed us to pursue the subject, nor to follow the Author

through his elaborate and interesting investigation of the question, whether the blacks and the Indians are inferior races of beings to the whites. Making all due allowances for the difference of condition, education, &c. between the blacks and whites, still the evidences were too strong, not to admit doubts of the intellectual equality of the two species. Of the former, many have been so situated, that they might have availed themselves of the conversation of their masters; many have been brought up to the handicraft arts, and from that circumstance, have always been associated with the whites. Some have been liberally educated, have lived in countries where the arts and sciences are cultivated to a high degree, and have had before their eyes, samples of the best workmanship, and of the noblest intelligence. "But never yet," he adds, "could I find a black that had uttered a thought above the level of plain narration; never seen even an elementary trait of painting or sculpture." Still, it was not against experience to suppose, that different species of the same genus, or varieties of the same species, might possess different qualifications. The Indians, on the other hand, with none of the advantages above named, will often carve figures on their pipes, not destitute of design and merit. They will crayon out an animal, a plant, or a country, so as to prove the existence of a germ in their minds, which only wants cultivation. They will astonish you with strokes of the most sublime oratory, such as prove their reason and sentiment strong, their imagination glowing and elevated. On the whole, therefore, he advanced it as his opinion, that the Indians are equal to the whites, in body and mind; and as a *problem* only, that the blacks, whether originally a distinct race, or made so by time and circumstances, are inferior to them. To justify a conclusion, in the latter case, required observations which eluded the research of all the senses; it should, therefore, be hazarded with extreme caution, especially when such conclusion would degrade a whole race of men from the rank in the scale of beings, which their Creator may, perhaps, have assigned them. The difference of color, feature, inclination, &c., is sufficient to warrant the presumption, that they were designed for a separate existence; but it furnishes no evidence of the right to enslave and torment them as mere brutes. "Will not a lover of natural history then," he concludes, "one who views the gradations in all the races of animals,

with the eye of philosophy, excuse an effort to keep these in the department of man as distinct as nature has formed them?"

The unhappy influence of slavery upon the manners and morals of the people, is forcibly portrayed in a succeeding chapter.

"The whole commerce between master and slave is a perpetual exercise of the most boisterous passions, the most unremitting despotism on the one part, and degrading submission on the other. Our children see this, and learn to imitate it; for man is an imitative animal. This quality is the germ of all education in him. From his cradle to his grave he is learning to do what he sees others do. If a parent could find no motive either in his philanthropy or his self-love, for restraining the intemperance of passion towards his slave, it should always be a sufficient one that his child is present. But generally it is not sufficient. The parent storms, the child looks on, catches the lineaments of wrath, puts on the same airs in the circle of smaller slaves, gives a loose to his worst passions, and thus nursed, educated, and daily exercised in tyranny, cannot but be stamped by it with odious peculiarities. The man must be a prodigy who can retain his manners and morals undepraved by such circumstances. And with what execration should the statesman be loaded, who, permitting one half the citizens thus to trample on the rights of the other, transforms those into despots, and these into enemies; destroys the morals of the one part, and the *amor patriæ* of the other. For if a slave can have a country in this world, it must be any other in preference to that in which he is born to live and labor for another: in which he must lock up the faculties of his nature, contribute as far as depends on his individual endeavors to the evanishment of the human race, or entail his own miserable condition on the endless generations proceeding from him."

The freedom of Mr. Jefferson's strictures on Slavery and the Constitution of Virginia, were the reasons, it appears, which influenced him to limit the circulation of the work, originally, to his confidential friends. In his letters to them, accompanying the gift of a copy, he uniformly explains the motives by which he was actuated, in enjoining suppression. Those who, on marking the singular anxiety of the Author throughout that affair, thought personal delicacy the principal restraining cause, had not yet arrived at the proper standard of estimating his principles of action. In presenting a copy of the work to General Chastellux, he thus writes:

"I have been honored with the receipt of your letter of the 2d instant, and am to thank you, as I do sincerely, for the partiality with which you receive the copy of the Notes on my country. As I can answer for the facts therein reported on my own observation,

and have admitted none on the report of others, which were not supported by evidence sufficient to command my own assent, I am not afraid that you should make any extracts you please for the *Journal de Physique*, which come within their plan of publication. The strictures on Slavery and on the Constitution of Virginia, are not of that kind, and they are the parts which I do not wish to have made public, at least, till I know whether their publication would do most harm or good. *It is possible, that in my own country, these strictures might produce an irritation, which would indispose the people towards the two great objects I have in view ; that is, the emancipation of their slaves, and the settlement of their constitution on a firmer and more permanent basis.* If I learn from thence, that they will not produce that effect, I have printed and reserved just copies enough to be able to give one to every young man at the College. It is to them I look, to the rising generation, and not to the one now in power, for these great reformatations."

In transmitting copies to his friends in America, he expresses the same lofty reasons ; of which the following, in a letter to Mr. Monroe, is a sample.

"I send you by Mr. Otto, a copy of my book. Be so good as to apologize to Mr. Thompson for my not sending him one by this conveyance. I could not burden Mr. Otto with more, on so long a road as that from here to L'Orient. I will send him one by a Mr. Williams, who will go ere long. I have taken measures to prevent its publication. My reason is, that I fear the terms in which I speak of slavery, and of our constitution, may produce an irritation, which will revolt the minds of our countrymen against reformation in these two articles, and thus do more harm than good. I have asked of Mr. Madison to sound this matter as far as he can, and if he thinks it will not produce that effect, I have then copies enough printed to give one to each of the young men at the College, and to my friends in the country."

The remainder of this justly renowned Treatise, is occupied with useful details and learned dissertations, under the following heads of enquiry : The Colleges, Public Establishments, and mode of Architecture in Virginia—The measures taken with regard to the Estates and Possessions of tories during the war—The different Religions received into the State—The particular Manners and Customs of the people—The present state of Manufactures, Commerce, and Agriculture—The usual commodities of Export and Import—The Weights, Measures, and Currency in hard money, with the rates of Exchange with Europe—The public Income and Expenses—The Histories of the State, the Memorials published under its

name while a Colony, and a Chronological Catalogue of its State Papers since the commencement of the Revolution.

Perhaps the most celebrated portion of the whole work, is, that which contains the opinions of the Author on the subject of FREE ENQUIRY in matters of religion. The interest which all mankind feel on a point so vitally connected with the policy of our government, and the freedom and happiness of its subjects, will justify a liberal quotation here, in concluding our remarks upon these invaluable "Notes." The sentiments of the writer, although generally esteemed heretical and well nigh impious, at the time, are now as generally reputed orthodox and unquestionable.

"Reason and free inquiry are the only effectual agents against error. Give a loose to them, they will support the true religion, by bringing every false one to their tribunal, and to the test of their investigation. They are the natural enemies of error, and of error only. Had not the Roman government permitted free inquiry, Christianity could never have been introduced. Had not free inquiry been indulged at the era of the reformation, the corruptions of Christianity could not have been purged away. If it be restrained now, the present corruptions will be protected, and new ones encouraged. Was the government to prescribe to us our medicine and diet, our bodies would be in such keeping as our souls are now. Thus in France, the emetic was once forbidden as a medicine, and the potatoe as an article of food. Government is just as infallible too when it fixes systems in physics. Galileo was sent to the inquisition for affirming that the earth was a sphere: the government had declared it to be as flat as a trencher, and Galileo was obliged to abjure his error. This error, however, at length prevailed, the earth became a globe, and Descartes declared it was whirled round its axis by a vortex. The government in which he lived was wise enough to see, that this was no question of civil jurisdiction, or we should all have been involved by authority in vortices. In fact, the vortices have been exploded, and the Newtonian principle of gravitation is now more firmly established, on the basis of reason, than it would be were the government to step in, and make it an article of necessary faith. Reason and experiment have been indulged, and error has fled before them. It is error alone which needs the support of government. Truth can stand by itself. Subject opinion to coercion: whom will you make your inquisitors? Fallible men; men governed by bad passions, by private as well as public reasons. And why subject it to coercion? To produce uniformity. But is uniformity of opinion desirable? No more than of face and stature. Introduce the bed of Procrustes then, and as there is danger that the great men may beat the small, make us

all of a size, by lopping the former and stretching the latter. Difference of opinion is advantageous in religion. The several sects perform the office of a censor morum over each other. Is uniformity attainable? Millions of innocent men, women and children, since the introduction of Christianity, have been burnt, tortured, fined and imprisoned; yet we have not advanced one inch towards uniformity. What has been the effect of coercion? to make one half the world fools, and the other half hypocrites. To support roguery and error all over the earth. Let us reflect that it is inhabited by a thousand millions of people. That these profess, probably, a thousand different systems of religion. That ours is but one of that thousand. That if there be but one right, and ours that one, we should wish to see the nine hundred and ninety-nine wandering sects gathered into the fold of truth. But against such a majority we cannot effect this by force. Reason and persuasion are the only practicable instruments. To make way for these, free inquiry must be indulged; how can we wish others to indulge it while we refuse it ourselves."

On the 15th of June, 1781, Mr. Jefferson was appointed, with Mr. Adams, Dr. Franklin, Mr. Jay and Mr. Laurens, a Minister Plenipotentiary, for negotiating peace, then expected to be effected through the mediation of the Empress of Russia. The same reasons, however, which induced him to decline a foreign station in '76, constrained him, on the present occasion, to plead his excuse with Congress, and entreat permission to remain at home. "Such was the state of my family," says he, "that I could not leave it, nor could I expose it to the dangers of the sea, and of capture by the British ships, then covering the ocean." This delicate restraint released him from the meditated Embassy; and the negotiation in fact, was never entered on.

So imperfect is the light which has been thrown on the private history of Mr. Jefferson, that it was not thought proper to interrupt the narrative of his public career, for those general facts only, of a domestic character, which are incorporated in his recent auto-biography. He was married on the first of January, 1772, to Mrs. Martha Skelton, widow of Bathurst Skelton, then twenty-three years of age. She was the daughter of John Wayles, a lawyer of extensive practice, to which he had been introduced, more by his great industry, punctuality, and practical readiness, than by eminence in the science of his profession. He is represented to have been a most agreeable companion, full of pleasantry and good humor, which gave him a happy welcome into every society. He acquired

an immense fortune, by his practice at the bar, and died in May, 1773, leaving three daughters. The portion which fell, on that event, to Mrs. Jefferson, was about equal to his own patrimony, and consequently doubled the affluence of their circumstances.

At the period of which we have been speaking, Mr. Jefferson had three daughters; in the education of whom, according to his own ideas, he carried into practical exercise, all that enthusiasm, which had distinguished his public endeavors in relation to the same subject. With a mind exquisitely attuned to all those endearments, which make up the measure of domestic felicity, with a wife no less adapted to multiply and augment those endearments, to the full extent of which they are susceptible, with an extraordinary passion for philosophy and the quiet operations of agriculture, it is not surprising he should have preferred, as he afterwards declared, 'the woods, the wilds, and the independence of Monticello, to all the brilliant pleasures of the most brilliant court in Europe.' It was to him, therefore, an inexpressible luxury, and one which he had not been permitted to enjoy since the commencement of the Revolution, to pass, as he did, the remainder of the year '81, and a considerable part of the succeeding, in the tranquil pleasures and pursuits of domestic retirement. With the cares and delights of his family, his books, and his farm, he mingled the gratification of his devotion to the Fine Arts, particularly architecture. He superintended minutely the construction of his elegant mansion, which had been commenced some years before, and was already in a habitable condition. The plan of the building was entirely original in this country. He had drawn it himself from books, with a view to improve the architecture of his countrymen, by introducing an example of the tastes and arts of Europe. The original design of the structure, which was executed before his travels in Europe had supplied him with any models, is allowed by European travellers to have been infinitely superior, in taste and convenience, to that of any other house, at this time, in America.* The fame of the Monticellean philosopher having already spread over Europe, his hospitable seat was made the resort of scientific adventurers, and of dignified travellers, from many parts of that continent.

*See Travels of Duke de La Rochefoucault Liancourt, in America; also, the Travels of Marquis de Chastellux.

It may not be unsatisfactory to the reader, to have a picture of the Patriot in his hermitage, as he appeared to the celebrated French traveller, General Chastellux : “ Let me describe to you a man, not yet forty, tall, and with a mild and pleasing countenance, but whose mind and understanding are ample substitutes for every exterior grace—An American, who, without ever having quitted his own country, is at once a musician, skilled in drawing, a geometrician, an astronomer, a natural philosopher, legislator, and statesman—A senator of America, who sat for two years in that famous Congress, which brought about the Revolution ; and which is never mentioned without respect, though unhappily not without regret—A Governor of Virginia, who filled this difficult station during the invasions of Arnold, of Phillips, and of Cornwallis—A philosopher, in voluntary retirement from the world and public business, because he loves the world inasmuch only, as he can flatter himself with being useful to mankind ; and the minds of his countrymen are not yet in a condition either to bear the light, or to suffer contradiction—A mild and amiable wife, charming children, of whose education he himself takes charge, a house to embellish, great provisions, and the arts and sciences to cultivate ;—these are what remain to Mr. Jefferson, after having played a principal character on the theatre of the new world, and which he preferred to the honorable commission of Minister Plenipotentiary in Europe.”

In the autumn of '82, assurances having been received from the British government, that a general peace would be concluded in the ensuing winter or spring, Congress renewed the appointment of their Plenipotentiaries for that purpose. A great and afflicting change had, at this time, taken place in the domestic relations of Mr. Jefferson ; and the reasons which before operated imperatively against his acceptance of the mission, were suddenly superseded by others, as imperatively urging his absence from the seat of his dearest and most hallowed ties. The appointment was made on the 13th of November. “ I had, two months before that,” says he, “ lost the cherished companion of my life, in whose affections, unabated on both sides, I had lived the last ten years, in unchequered happiness.” With the public interests, therefore, the state of his mind concurred in recommending the change of scene proposed ; and he accepted the appointment.

He left Monticello on the 19th of December, '82, for Philadelphia, where he arrived on the 27th. The Minister of France, Luzerne, offered him a passage in the frigate *Romulus*, which he accepted; but she was then lying a few miles below Baltimore, blockaded by ice. No other conveyance being available, he remained in Philadelphia a month. On his arrival, Congress had passed an order offering him free access to the archives of the government; and he improved the leisure interval by a constant and daily attendance at the office of State, examining the public papers, with a view to possess himself thoroughly of the state of our foreign affairs. He then proceeded to Baltimore, to await the liberation of the French frigate from the ice. After being detained there nearly a month longer, information was received, that a provisional Treaty of Peace had been signed by those of the Commissioners* who were on the spot, on the 3d of September, '82; which treaty was to become absolute, on the conclusion of peace between France and Great Britain. Considering the object of his mission to Europe as now substantially accomplished, he repaired immediately to Philadelphia, to take the orders of Congress; and was excused by them from further proceeding. He therefore returned home, where he arrived on the 15th of May, '83.

The appointment and re-appointment of Mr. Jefferson on the distinguished embassy, which resulted in the negotiation of the definitive Treaty of Peace with Great Britain, though but a fair tribute to his extraordinary revolutionary services, have never been associated in history, with that important event. The circumstances above detailed, alone prevented the addition of his signature to the Treaty, which would necessarily have given the same honorable notoriety to his connection with the transaction, as is attached to his associate Commissioners.

* John Adams, Dr. Franklin, John Jay, and Henry Laurens.

CHAPTER VIII.

On the 6th of June, 1783, Mr. Jefferson, whose transcendent capabilities were never overlooked, though sometimes, unhappily, unobtainable, was re-elected by the Legislature, to his ancient and well adapted station of Delegate to Congress. His appointment was to take effect on the 1st of November ensuing, when the term of the existing delegation would have expired. He left home on the 16th of October, arrived at Trenton, where Congress was sitting, on the 3d of November, and took his seat on the 4th; on which day Congress adjourned, to meet at Annapolis on the 26th.

The re-appearance, in the halls of the National Legislature, of the renowned Author of the Declaration of Independence, after an absence of seven years, during which the momentous principles of that Declaration had been solemnly contested and substantiated, before the sovereign tribunal of nations, must have impressed even that dignified Assembly with awe. How proudly must he have felt in looking round upon those, if any such were there, who had treated the question of Independence as idle chimera, and incessantly beleaguered the cause with sinister auguries of the result? And with what deep exultation must he have met and grasped the hand of those, who had breasted with him the difficulties which hung on them so heavily, 'whose vote,' as he once proudly said, 'had been his vote on every public question, and whose principles had been the standard of whatever was free or fearless'? The praises and congratulations which were mutually interchanged, on this occasion, were enthusiastic, overflowing; royalists and republicans kindled in the competition of public and private felicitation: and the scene altogether, presented a *tout ensemble*, not unworthy the conclusion of the long and agonizing drama, the result of which had verified the hopes of the most sanguine votary of the rights of man.

Congress convened at Annapolis on the 26th of November, agreeably to adjournment; but the pressure of the public affairs having relaxed, the members had become proportionally remiss in their attendance, insomuch, that a majority of the States necessary by

the Confederation to constitute a quorum, even for minor business, did not assemble until the 13th of December.

On the 19th of the same month, the great conflict being over, and our National Independence acknowledged by Great Britain, the illustrious Generalissimo of the American army, requested permission of Congress to resign his honorable commission; and, with the deference ever paid by him to the civil authority, desired to know their pleasure, in what manner the grateful duty should be performed.

To give an éclat and dignity to the transaction, analogous to the importance of the event, they decreed, that the commission should be delivered up at a PUBLIC AUDIENCE, on the 23d of December, at twelve o'clock; and suitable arrangements were ordered, for making of the occasion, a grand and impressive republican pageant. The character sustained by Mr. Jefferson in this affecting scene, will justify a general description of the circumstances.

When the hour arrived for the performance of the interesting ceremony, the galleries were overloaded with spectators; and many distinguished individuals, among whom were the executive and legislative characters of the States, several General Officers, and the Consul General of France, were admitted on the floor of Congress. The spectacle about to be exhibited, was calculated to awake the proudest recollections, and excite the most sublime emotions that ever animated the human soul. From the first moment of peace, the public mind had been fixed intently upon General Washington, to know what he would do; he stood on the pinnacle of military fame and power; but his ambition was satisfied, for the liberties of his country had been gained; and his admiring fellow citizens were now assembled to witness the execution of a purpose, deliberately and warmly embraced, of leaving to the world a great and solemn example of moderation.

The representatives of the sovereign people of the Union, remained seated and covered; the spectators, standing and uncovered. The General was introduced by the Secretary, and conducted to a chair near the President of Congress. After a proper interval, silence was commanded, and a short pause ensued. The President, General Mifflin, then rose and informed him that the United States in Congress assembled, were prepared to receive his communications. Washington rose, and with a native dignity, equalled only

by the grandeur of the occasion, delivered his affectionate address and valedictory.

Having then advanced to the Chair, and delivered his commission to the President, he returned to his place, and received standing the following answer of the President, in the name of Congress. This interesting paper was prepared by Mr. Jefferson!

"Sir,—The United States in Congress assembled, receive with emotions too affecting for utterance, the solemn resignation of the authorities under which you have led their troops with success through a perilous and doubtful war. Called upon by your country to defend its invaded rights, you accepted the sacred charge, before it had formed alliances, and whilst it was without funds or a government to support you. You have conducted the great military contest with wisdom and fortitude, invariably regarding the rights of the civil power through all disasters and changes. You have, by the love and confidence of your fellow-citizens, enabled them to display their martial genius, and transmit their fame to posterity. You have persevered, till these United States, aided by a magnanimous king and nation, have been enabled, under a just Providence, to close the war in freedom, safety and independence; on which happy event, we sincerely join you in congratulations.

"Having defended the standard of liberty in this new world; having taught a lesson useful to those who inflict, and to those who feel oppression, you retire from the great theatre of action, with the blessings of your fellow citizens—but the glory of your virtues will not terminate with your military command, it will continue to animate remotest ages.

"We feel with you our obligations to the army in general, and will particularly charge ourselves with the interests of those confidential officers, who have attended your person to this affecting moment.

"We join you in commending the interests of our dearest country to the protection of Almighty God, beseeching him to dispose the hearts and minds of its citizens, to improve the opportunity afforded them, of becoming a happy and respectable nation. And for you we address to Him our earnest prayers, that a life so beloved, may be fostered with all his care; that your days may be happy as they have been illustrious; and that he will finally give you that reward which this world cannot give."

On the same day, December 23d, measures were taken for ratifying the definitive Treaty of Peace, which had been signed at Paris on the 3d of September, 1783, and received here in November following. The Treaty, with the joint letter of the American Plenipotentiaries, was referred to a committee, of which Mr. Jefferson was

chairman, to consider and report thereon. The necessary House not being present, the committee were directed to address letters to the Governors of the absent States, stating the receipt of the definitive Treaty ; that seven States only were in attendance, while nine were essential to its ratification ; and urging them to press on their Delegates the necessity of an immediate attendance.

Meanwhile, the House being restless under the delay, the opinion was advanced by several members, that seven States were competent to confirm treaties ; and the motion was accordingly made for an immediate ratification. Mr. Jefferson adhered to the strict letter of the Confederation, against the constructive opinion, and opposed the motion. It was debated with considerable warmth, on the 26th and 27th. No traces of the proceedings, however, appear in the journals of Congress. It being made palpable, in the course of the debates, that the proposition could not be sustained, it was decided to make no entry at all. Massachusetts alone would have voted for it ; Rhode-Island, Pennsylvania and Virginia against it ; Delaware, Maryland and North Carolina would have been divided.

In embodying his recollections of these transactions, in 1821, Mr. Jefferson improved the occasion, to record a severe but merited censure on the general character and conduct of our congressional bodies. It certainly deserves the attention of all those who are entrusted with the exercise of the elective franchise, in this happy Republic.

“Our body was little numerous, but very contentious. Day after day was wasted on the most unimportant questions. A member, one of those afflicted with the morbid rage of debate, of an ardent mind, prompt imagination, and copious flow of words, who heard with impatience any logic which was not his own, sitting near me on some occasion of a trifling but wordy debate, asked me how I could sit in silence, hearing so much false reasoning, which a word should refute ? I observed to him, that to refute indeed was easy, but to silence impossible ; that in measures brought forward by myself, I took the laboring oar, as was incumbent on me ; but that in general, I was willing to listen ; that if every sound argument or objection was used by some one or other of the numerous debaters, it was enough ; if not, I thought it sufficient to suggest the omission, without going into a repetition of what had been already said by others : that this was a waste and abuse of the time and patience of the House, which could not be justified. And I believe, that if the members of deliberate bodies were to observe this course generally, they would do in a day, what takes them a week ; and it is

really more questionable, than may at first be thought, whether Bonaparte's dumb legislature, which said nothing, and did much, may not be preferable to one which talks much, and does nothing. I served with General Washington in the Legislature of Virginia, before the Revolution, and, during it, with Dr. Franklin in Congress. I never heard either of them speak ten minutes at a time, nor to any but the main point, which was to decide the question. They laid their shoulders to the great points, knowing that the little ones would follow of themselves. If the present Congress errs in too much talking, how can it be otherwise, in a body to which the people send one hundred and fifty lawyers, whose trade it is, to question every thing, yield nothing, and talk by the hour? That one hundred and fifty lawyers should do business together, ought not to be expected."

Those who thought seven States competent to the ratification, being very uneasy under the loss of their motion, Mr. Jefferson proposed, on the 3d of January, to meet them on the middle ground; and accordingly moved a resolution, which premised, that there were but seven States present, who were unanimous for the ratification, but differed in opinion on the question of competency; that those, however, in the negative, were unwilling that any powers which it might be supposed they possessed, should remain unexercised for the restoration of peace, provided it could be done, saving their good faith, and without importing any opinion of Congress, that seven States were competent; and resolving, that the treaty be ratified so far as they had power; that it should be transmitted to our Ministers, with instructions to keep it uncommunicated; to endeavor to obtain three months longer for exchange of ratifications; that they should be informed, that so soon as nine States shall be present, a ratification by nine shall be sent them; if this should get to them before the ultimate point of time for exchange, they were to use it, and not the other; if not, they were to offer the act of the seven States in exchange, informing them the treaty had come to hand while Congress was not in session, that but seven States were as yet assembled, and these had unanimously concurred in the ratification. This resolution was debated on the 3d and 4th of January; and on the 5th, the question being carried, the House directed the President to write to our Ministers accordingly.

On the 14th of January, Delegates from Connecticut and South Carolina having arrived, the necessary complement of States was in attendance; and on report of Mr. Jefferson, in behalf of the com-

mittee, the definitive Treaty of Peace between the United States and Great Britain, was solemnly ratified and confirmed, without a dissenting voice. Thus was consummated, in the calm of reason, a work, which, through eight consecutive years of blood and violence, had chained the attention of the universe,—a work, which resulted in the establishment of an Independent Empire, upon republican principles; and it was certainly no more than a matter of strict right, that the individual, who had taken the lead in originating those principles, and ‘declaring’ them to the world, should have assigned to him the first place in ratifying the assent of the principal Powers of Europe, to their justness and validity.

But the act, by which Mr. Jefferson chiefly distinguished himself, in his second congressional course, was his establishment of a Money Unit, and a uniform system of currency, for the United States. The interesting fact is not generally known to the people of this country, that Mr. Jefferson was the father of their present admirable system of Coinage and Currency. In the volumes and volumes which have been written on this extraordinary man, no allusion to the circumstance has ever appeared; and yet, it is one of the noblest commentaries upon the versatility of his intellectual powers. The historical circumstances attending the preparation and final adoption of his scheme are of some curiosity, as showing the disparity of views which prevailed on the subject.

Early in January, 1782, Congress had turned their attention to the variety and discordancy of monies current in the several States; and had directed their financier, Robert Morris, to report to them a table of the different currencies, and of the rates at which foreign coins should be received at the treasury. That officer, or rather his assistant, Gouverneur Morris, answered them, the same month, in an able and elaborate statement of the denominations of money current in the several States, and of the comparative value of the foreign coins chiefly in circulation among us. He went also into the consideration of the necessity of establishing a fixed standard of value with us, and of adopting a Money Unit. He proposed for that unit, such a fraction of pure silver as would be a common measure of the penny of every State, without leaving a fraction. This common division he found to be $\frac{1}{1440}$ of a dollar, or $\frac{1}{1600}$ of a crown sterling. The value of a dollar, therefore, was to be expressed by 1440 units, and of a crown by 1600; each unit containing a quarter of a grain of

fine silver. The following year, 1783, Congress again turned their attention to the subject, and the Financier, by a letter of April 30, further explained his idea, and urged the unit he had proposed ; but nothing more was done on it, until the early part of the ensuing year, '84, when, Mr. Jefferson having become a member, the subject was referred to a committee, of which he was made chairman.

"The general views of the Financier, were sound," says he, "and the principle was ingenious, on which he proposed to found his unit ; but it was too minute for ordinary use, too laborious for computation, either by head or in figures. The price of a loaf of bread, $\frac{1}{20}$ of a dollar, would be 72 units. A pound of butter, $\frac{1}{5}$ of a dollar, 288 units. A horse or bullock, of eighty dollars' value, would require a notation of six figures, to wit, 115,200, and the public debt, suppose of eighty millions, would require twelve figures, to wit, 115,200,000,000 units. Such a system of money arithmetic would be entirely unmanageable for the common purposes of society. I proposed, therefore, instead of this, to adopt the Dollar as our unit of account and payment, and that its divisions and subdivisions should be in the decimal ratio. I wrote some notes on the subject, which I submitted to the consideration of the Financier. I received his answer and adherence to his general system, only agreeing to take for his unit one hundred of those he first proposed, so that a dollar should be $14\frac{4}{100}$, and a crown 16 units. I replied to this, and printed my notes and reply on a flying sheet, which I put into the hands of the members of Congress for consideration, and the committee agreed to report on my principle. This was adopted the ensuing year, and is the system which now prevails.

The money system recommended by Mr. Jefferson, and adopted by Congress in 1785, has almost entirely superseded the various and perplexing currencies, which formerly prevailed in the different States, and established a uniformity of computation among them, harmonizing, in some degree, with their unity as a nation. For soundness and simplicity, easy computation, and facility of introduction among the people, it is probably unequalled by any system now in use, in any other nation on the globe. A tolerable estimate of its advantages over the currencies of other nations, may be formed on an examination of the views of the Author, as drafted by himself at the time, and submitted to the consideration of the committee.*

As might be expected, the return to the National Councils, of so

* See Appendix, Note B.

distinguished a character as Mr. Jefferson, drew upon him an unusual proportion of business of the first magnitude. The journals of the House place him continually in the foreground of the concentrated wisdom of the nation. He was on all the committees, to whom concerns of the highest moment were entrusted; and was twice, in one month, elected chairman of Congress, during the absence, from indisposition, of the President.

He was appointed chairman of a grand committee to revise the institution of the Treasury Department, and report such alterations as they should deem proper. The business of this committee was emphatically to reduce order out of chaos. The finances of the country were in a most deplorable condition; no adequate system had been devised for meeting the constant and increasing requisitions upon the treasury; no compulsory power existing in Congress, over the States, many of them, being dissatisfied with their quotas, refused to contribute altogether, and none appeared to have the means at command for satisfying the demands made upon them. The peace and harmony of the Union were manifestly in danger. Mr. Jefferson entered upon the arduous trust, with great zeal and fidelity, and draughted an able report on the subject, in the form of a Circular Letter to the supreme Executive of the several States; which report was unanimously adopted. He likewise reported from the same committee, the draught of an ordinance for erecting the department of finance into commission, under the title of 'The Board of Treasury,' which was also adopted.

He was appointed chairman of a grand committee to prepare and report to Congress, the arrears of interest on the National Debt, with the interest and expenses of the current year; and to adjust an equitable apportionment of the whole demand, among the several States. He drew the report of the committee. It was an elaborate performance, embracing a full and comprehensive review of the various debts of the Union, the interest due thereon, with the expenses of the current year, and exhibiting by a table annexed, an apportionment of the necessary requisitions upon the several States, for defraying the amount. The report was accepted and passed.

He was appointed chairman of a committee to devise and report a plan of government for the Western Territories. He drew the ordinance, on a principle analogous to the State governments, repor-

ted it to the House, where, after going through the ordinary course, it was adopted with few alterations. He improved the occasion to testify, once more, his abhorrence of Slavery, by introducing into his plan, the following provision: "That after the year 1800 of the Christian era, there shall be neither slavery nor involuntary servitude in any of the States, otherwise than in punishment of crimes, whereof the party shall have been duly convicted to have been personally guilty." But the clause was stricken out by Congress, as well as another, which provided that no person should be admitted a citizen, who held any hereditary title.

He was appointed on a committee of retrenchment, to consider and report what reductions might be made in the civil list. On the report of this committee, such a reduction was ordered, by suppressing unnecessary offices, and diminishing the salaries of others, as produced an annual saving to the United States, of 24,000 dollars.

He was made chairman of a committee to settle the mode of locating and disposing lands in the Western Territory. He prepared the report of the committee, which was adopted. It established the mode of locating and disposing the vacant lands of the United States, which has hitherto been pursued, with little variation.

By the Confederation, exclusive power over the regulation of commerce, even by treaty, was not given to Congress; but the right was reserved to the State legislatures, of imposing such duties on foreigners, as their own people were subjected to, and of prohibiting the exportation and importation of any species of goods, within their respective ports. The inconveniences of this arrangement were speedily felt, to an alarming degree. Great Britain had already adopted regulations destructive of our commerce with her West India islands; and unless the United States, in their federative capacity, were invested with powers competent to the protection of their commerce, by countervailing regulations, it was obvious they could never command reciprocal advantages in trade; without which their foreign commerce must decline, and eventually be annihilated. A committee was therefore appointed, of which Mr. Jefferson was a member, to institute measures for transferring the principal jurisdiction of commerce, from the States to the National tribunal. They reported resolutions recommending the Legislatures of the several States, to invest the Federal Government, for the term of fifteen years, with the power to interdict from our ports the com-

inforce of any nation, with whom the United States shall not have established treaties. The report was accepted, and the resolutions passed.

All these important transactions, with many others, in which Mr. Jefferson had a leading agency, were accomplished during the winter and spring of 1784, the whole term of his second congressional service.

During the same term, he submitted a proposition, which embraced a double object—to invigorate and economize the government. The permanent session of Congress, and the flagrant remissness of the members, had begun to be a subject of uneasiness through the country; and even some of the Legislatures had recommended to them intermissions, and periodical sessions. But the government was not yet organized into separate Departments; there was no distinct Executive, nor had the Confederation made provision for a visible head of affairs, during vacations of Congress. Such a head was necessary, however, to superintend the executive business, to receive and communicate with foreign Ministers and nations, and to assemble Congress on sudden and extraordinary emergencies. Mr. Jefferson, therefore, proposed the appointment of an executive board, to consist of one member from each State, who should remain in session during the recess of Congress, under the title of ‘Committee of the States.’ The powers of this periodical substitute of Congress, were to embrace all the executive functions of the principal, which should not be specially reserved, but none of the legislative; the concurrence of nine members should be required to determine all questions, except that of adjournment from day to day; they should keep a journal of their proceedings to be laid before Congress, whom they should also be empowered to assemble, on any occurrence during the recess, in which the peace or happiness of the United States might be involved.

The proposition was adopted, and a Committee of the States appointed. On the adjournment of Congress, in June following, they entered upon their duties, but in the course of two months, quarrelled among themselves, divided into two parties, abandoned their post, and left the government without any visible head, until the next meeting of Congress. The scheme was found to be an impracticable one, though it was the best within the authority of Congress, at that time, to adopt. And, on the whole, it was a happy

circumstance to our Republic, that the theory proved as impracticable as it did ; for it developed, in a clear light, the palpable defect of the Confederation, in not having provided for a separation of the legislative, executive, and judiciary functions : and this defect, together with the want of adequate powers in the General Government, to collect their contributions, and to regulate commerce, were the two great causes which led to the formation and adoption of our present Constitution.

Mr. Jefferson has left a brief reminiscence of his sentiments, and of an amusing interview with Dr. Franklin, on learning the sudden rupture and dispersion of the new Executive Chiefs.

“ We have since seen the same thing take place, in the Directory of France ; and I believe it will for ever take place in any Executive consisting of a plurality. Our plan, best, I believe, combines wisdom and practicability, by providing a plurality of councillors, but a single arbiter for ultimate decision. I was in France when we heard of this schism and separation of our Committee, and, speaking with Dr. Franklin of this singular disposition of men to quarrel, and divide into parties, he gave his sentiments, as usual, by way of apologue. He mentioned the Eddystone light-house, in the British channel, as being built on a rock, in the mid-channel, totally inaccessible in winter, from the boisterous character of that sea. in that season ; that, therefore, for the two keepers employed to keep up the lights, all provisions for the winter were necessarily carried to them in autumn, as they could never be visited again till the return of the milder season ; that, on the first practicable day in the spring, a boat put off to them with fresh supplies. The boatmen met at the door one of the keepers, and accosted him with a ‘ How goes it, friend ? ’ ‘ Very well. ’ ‘ How is your companion ? ’ ‘ I do not know. ’ ‘ Don’t know ? ’ ‘ Is not he here ? ’ ‘ I cant tell. ’ ‘ Have not you seen him to day ? ’ ‘ No. ’ ‘ When did you see him ? ’ ‘ Not since last fall. ’ ‘ You have killed him ? ’ ‘ Not I, indeed. ’ They were about to lay hold of him, as having certainly murdered his companion ; but he desired them to go up stairs and examine for themselves. They went up, and there found the other keeper. They had quarrelled, it seems, soon after being left there, had divided into two parties, assigned the cares below to one, and those above to the other, and had never spoken to, or seen, one another since.

While in Congress, at Annapolis, Mr. Jefferson received an urgent letter from General Washington, requesting his opinions on the institution of the Cincinnati, and on the conduct most proper for him to pursue in relation to it. The origin of this institution was perfectly innocent ; but its anti-republican organization and

tendency soon excited a heavy solicitude in the breasts of the more sensitive guardians of liberty, which at length broke forth in accents of loud and extensive disapprobation. The idea was suggested by General Knox, and finally matured into a regular association of all the officers of the American army, to continue during their lives, and those of their eldest male posterity, or in failure thereof, any collateral branches who might be judged worthy admission, with power to incorporate, as honorary members for life, individuals of the respective States, distinguished for their patriotism and abilities. The laws of the association further provided for periodical meetings, general and particular, fixed contributions for such of the members as might be in distress, and a badge to be worn by them, and presented, by a special envoy, to the French officers who had served in the United States, who were to be invited to consider themselves as belonging to the society ; at the head of which the Commander in Chief was unanimously designated to place his name.

General Washington saw with pain the uneasiness of the public mind under this institution, and appealed to Mr. Jefferson for his advice on the most eligible measures to be pursued, at the next meeting. The answer of Mr. Jefferson, as it probably decided the future destinies of this famous institution, is worthy of being preserved. It is dated Annapolis, April 16, 1784.

“I received your favor of April the 8th, by Colonel Harrison. The subject of it is interesting, and, so far as you have stood connected with it, has been matter of anxiety to me ; because, whatever may be the ultimate fate of the institution of the Cincinnati, as, in its course, it draws to it some degree of disapprobation, I have wished to see you standing on ground separated from it, that the character which will be handed to future ages, of the head of our Revolution, may, in no instance, be compromitted in subordinate altercations. The subject has been at the point of my pen in every letter I have written to you, but has been still restrained by the reflection that you had among your friends more able counsellors, and, in yourself, one abler than them all. Your letter has now rendered a duty what was before a desire, and I cannot better merit your confidence than by a full and free communication of facts and sentiments, as far as they have come within my observation. When the army was about to be disbanded, and the officers to take final leave, perhaps never again to meet, it was natural for men who had accompanied each other through so many scenes of hardship, of difficulty and danger, who, in a variety of instances, must have been rendered mutually dear by those aids and good offices, to which

their situations had given occasion, it was natural, I say, for these to seize with fondness any proposition which promised to bring them together again, at certain and regular periods. And this, I take for granted, was the origin and object of this institution: and I have no suspicion that they foresaw, much less intended, those mischiefs which exist perhaps in the forebodings of politicians only. I doubt, however, whether in its execution, it would be found to answer the wishes of those who framed it, and to foster those friendships it was intended to preserve. The members would be brought together at their annual assemblies no longer to encounter a common enemy, but to encounter one another in debate and sentiment. For something, I suppose, is to be done at these meetings, and, however unimportant, it will suffice to produce difference of opinion, contradiction, and irritation. The way to make friends quarrel is to put them in disputation under the public eye. An experience of near twenty years has taught me, that few friendships stand this test, and that public assemblies where every one is free to act and speak, are the most powerful looseners of the bands of private friendship. I think, therefore, that this institution would fail in its principal object, the perpetuation of the personal friendships contracted through the war.

"The objections of those who are opposed to the institution shall be briefly sketched. You will readily fill them up. They urge that it is against the Confederation—against the letter of some of our Constitutions—against the spirit of all of them;—that the foundation on which all these are built, is the natural equality of man, the denial of every pre-eminence but that annexed to legal office, and, particularly, the denial of a pre-eminence by birth; that however, in their present dispositions, citizens might decline accepting honorary instalments into the order; but a time may come, when a change of dispositions would render these flattering, when a well directed distribution of them might draw into the order all the men of talents, of office, and wealth; and in this case, would probably procure an ingraftment into the government; that in this, they will be supported by their foreign members, and the wishes and influence of foreign courts; that experience has shown that the hereditary branches of modern governments are the patrons of privilege and prerogative, and not of the natural rights of the people, whose oppressors they generally are: that besides these evils, which are remote, others may take place more immediately; that a distinction is kept up between the civil and military, which it is for the happiness of both to obliterate; that when the members assemble they will be proposing to do something, and what that something may be, will depend on actual circumstances; that being an organized body, under habits of subordination, the first obstruction to enterprise will be already surmounted; that the moderation and virtue of a single character have probably prevented this Revolution from being closed as most

others have been, by a subversion of that liberty it was intended to establish ; that he is not immortal, and his successor, or some of his successors, may be led by false calculations into a less certain road to glory.

* * *

"This, Sir, is as faithful an account of sentiments and facts as I am able to give you. You know the extent of the circle within which my observations are at present circumscribed, and can estimate how far, as forming a part of the general opinion, it may merit notice, or ought to influence your particular conduct.

"It now remains to pay obedience to that part of your letter which requests sentiments on the most eligible measures to be pursued by the society, at their next meeting. I must be far from pretending to be a judge of what would, in fact, be the most eligible measures for the society. I can only give you the opinions of those with whom I have conversed, and who, as I have before observed, are unfriendly to it. They lead to these conclusions. 1. If the society proceed according to its institution, it will be better to make no application to Congress on that subject, or any other, in their associated character. 2. If they should propose to modify it, so as to render it unobjectionable, I think it would not be effected without such a modification as would amount almost to annihilation : for such would it be to part with its inheritability, its organization, and its assemblies. 3. If they shall be disposed to discontinue the whole, it would remain with them to determine whether they would choose it to be done by their own act only, or by a reference of the matter to Congress, which would infallibly produce a recommendation of total discontinuance.

"You will be sensible, Sir, that these communications are without reserve. I supposed such to be your wish, and mean them but as materials, with such others as you may collect, for your better judgment to work on. I consider the whole matter as between ourselves alone, having determined to take no active part in this or any thing else, which may lead to altercation, or disturb that quiet and tranquillity of mind, to which I consign the remaining portion of my life. I have been thrown back by events, on a stage where I had never more thought to appear. It is but for a time, however, and as a day laborer, free to withdraw, or be withdrawn at will. While I remain, I shall pursue in silence the path of right, but in every situation, public or private, I shall be gratified by all occasions of rendering you service, and of convincing you there is no one, to whom your reputation and happiness are dearer than to, Sir, your most obedient and most humble servant."

The sentiments of Mr. Jefferson on the subject of the Cincinnati, were the sentiments of a majority of the members of Congress ; and they soon animated the mass of the people. General Wash-

ington was oppressed with solicitude ; he weighed the considerations submitted to him, with intense deliberation ; and although conscious of the purity of the motives in which the institution originated, he became sensible that it might produce political evils, which the warmth of those motives had disguised. But whether so or not, the fact that a majority of the people were opposed to it, was a sufficient motive with him, for desiring its immediate suppression. The first annual meeting was to be held in May ensuing, at Philadelphia ; it was now at hand ; and he went to it with the determination to exert all his influence for its annihilation. He proposed the matter to his fellow officers, and urged it with all his powers. 'It met with an opposition,' says Mr. Jefferson, 'which was observed to cloud his face with an anxiety, that the most distressful scenes of the war had scarcely ever produced. The question of dissolution was canvassed for several days, and, at length, the order was on the point of receiving its annihilation, by the vote of a great majority of its members. At this moment, their envoy arrived from France, charged with letters from the French officers, accepting cordially the proposed badges of fellowship, with solicitations from others to be received into the order, and the recognition of their magnanimous sovereign. The prospect was now changed. The question assumed a new form. After an offer made by themselves, and accepted by their friends, in what words could they clothe a proposition to retract it, which would not cover themselves with the reproaches of levity and ingratitude ? which would not appear an insult to those whom they loved ? They found it necessary, therefore, to preserve so much of the institution, as would support the foreign branch ; but they obliterated every feature which was calculated to give offence to their own citizens ; thus sacrificing, on each hand, to their brave allies, and to their country.'

The society was to retain its existence, its name, and its charitable funds ; these last, however, were to be deposited with their respective Legislatures. The order was to be no longer hereditary ; and it was to be communicated to no new members. The general meetings, instead of annual, were to be triennial only. The eagle and ribbon, indeed, were retained ; because they were willing they should be worn by their friends in a country where they would not be objects of offence ; but themselves never wore them. "They laid them up in their bureaus, with the medals of American Inde-

pendence, with those of the trophies they had taken, and the battles they had won."

On the 7th of May, Congress resolved that a Minister Plenipotentiary should be appointed, in addition to Dr. Franklin and Mr. Adams, already in Europe, for negotiating treaties of commerce with foreign nations ; and Mr. Jefferson was unanimously elected.

The charge confided to this distinguished Legation, comprehended the origination and management of all our Foreign Relations : the adjustment of which, upon a firm and equitable basis, was evidently an undertaking of uncommon magnitude, difficulty and delicacy. We had now become an independent nation, and, as such, it was incumbent upon us to assert, with dignity, all those rights of fellowship with other nations, to which our separate and equal station gave us an equal title ; and to receive, with suitable acknowledgements, as many favors, as any of them were disposed to grant. It was the great object of Congress, in the appointment of these Ambassadors, to get our commerce established with every nation, on a footing as favorable as that of any other government ; and, for this purpose, they were directed to propose to each nation a distinct treaty of commerce. The acceptance, too, of such treaties, would amount to an acknowledgement, by each, of our independence, and of our reception into the fraternity of nations ; "which," says Mr. Jefferson, "although as possessing our station of right, and in fact, we would not condescend to ask, we were not unwilling to furnish opportunities for receiving their friendly salutations and welcome." With France, the United Netherlands and Sweden, the United States already had commercial treaties ; but commissions were given for those countries also, should any amendments be thought necessary. The other Powers, to which treaties were to be proposed, were England, Hamburg, Saxony, Prussia, Denmark, Russia, Austria, Venice, Rome, Naples, Tuscany, Sardinia, Genoa, Spain, Portugal, the Porte, Algiers, Tripoli, Tunis, and Morocco.

CHAPTER IX.

Mr. Jefferson accepted the honorable commission of Ambassador, and bid a final adieu to Congress, on the 11th of May, '84. Instead of returning to Monticello, the scene of his recent and distressing bereavement, he went directly to Philadelphia, took with him his eldest daughter, then in that city, and proceeded thence to Boston, in quest of a passage. This was the only occasion on which Mr. Jefferson ever visited New England; and while pursuing his journey, he made a point of stopping at the principal towns on the seaboard, to inform himself of the state of commerce in each State. With the same view, he extended his route into New Hampshire, and returned to Boston. He sailed thence, on the 5th of July, in the merchant ship *Ceres*, bound to Cowes, where he arrived, after a pleasant voyage, on the 26th. He was detained there a few days, by the indisposition of his daughter, embarked for Havre on the 30th, and arrived at Paris on the 6th of August. He called immediately on Dr. Franklin, at Passy, communicated to him their charge and instructions; and they wrote to Mr. Adams, then at the Hague, to join them at Paris.

The instructions given by Congress to the first Plenipotentiaries of Independent America, were a novelty in the history of international transactions; and much curiosity was manifested by the diplomatic corps of Europe, resident at the court of Versailles, to know the author of them. These instructions contemplated the introduction of numerous and fundamental reformatations in the reciprocal relations of neutrals and belligerents, which, had the propositions of our Ministers been embraced by the principal powers of Europe, would have effected a series of the most substantial and desirable improvements in the international code of mankind. The principal reformatations intended, were, a provision exempting from capture, by the public or private armed ships of either belligerent, when at war, all merchant vessels and their cargoes, employed merely in carrying on the commerce between nations—or, in other words, the abolition of privateering; a provision against the molestation of

fishermen, husbandmen, citizens unarmed, and following their occupations in unfortified places ; for the humane treatment of prisoners of war ; for the abolition of contraband of war, which exposes merchant vessels to such ruinous detentions and abuses ; and for the recognition of the principle of "free bottoms, free goods."

Such were the distinguishing features of these unique instructions ; and the interesting question of their authorship has never been settled until since the publication of Mr. Jefferson's *Private Correspondence*. In a letter of his, written but a short time before his death, to John Q. Adams, then President of the United States, the whole history of the transaction is concisely stated, in answer to a special and friendly enquiry on the subject. With a modesty only equalled by his uniform silence theretofore, upon the point, he ascribes to Dr. Franklin, the merit of having suggested the principal innovations, meditated by these instructions.

"I am thankful for the very interesting message and documents of which you have been so kind as to send me a copy, and will state my recollections as to the particular passage of the message to which you ask my attention. On the conclusion of peace, Congress, sensible of their right to assume independence, would not condescend to ask its acknowledgment from other nations, yet were willing, by some of the ordinary international transactions, to receive what would imply that acknowledgement. They appointed commissioners, therefore, to propose treaties of commerce to the principal nations of Europe. I was then a member of Congress, was of the committee appointed to prepare instructions for the commissioners, was, as you suppose, the draughtsman of those actually agreed to, and was joined with your father and Doctor Franklin, to carry them into execution. But the stipulations making part of these instructions, which respected privateering, blockades, contraband, and freedom of the fisheries, were not original conceptions of mine. They had before been suggested by Doctor Franklin, in some of his papers in possession of the public, and had, I think, been recommended in some letter of his to Congress. I happen only to have been the inserter of them in the first public act which gave the formal sanction of a public authority." * *

Agreeably to their request, Mr. Adams soon joined his colleagues of the Legation, at Paris ; and their first employment was, to prepare a general form of treaty, based upon the broad principles of their instructions, to be proposed to each nation, without discrimination, but without urging it upon any. In the conference with the Count de Vergennes, with whose nation the United States already

had a treaty, it was mutually agreed to leave to legislative regulation, on both sides, such modifications of our commercial intercourse as would voluntarily flow from amicable dispositions. They next sounded the Ministers of the several European nations, assembled at the court of Versailles, on the dispositions of their respective governments towards mutual commerce, and the expediency of encouraging it by the protection of a treaty. The final success of their propositions to the various Powers, during a twelve month term of joint diplomatic attendance in Europe, is very pleasantly and comprehensively stated by Mr. Jefferson himself.

“Old Frederick, of Prussia, met us cordially, and without hesitation, and, appointing the Baron de Thulemeyer, his minister at the Hague, to negotiate with us, we communicated to him our *Projet*, which, with little alteration by the King, was soon concluded. Denmark and Tuscany entered also into negotiations with us. Other Powers appearing indifferent, we did not think it proper to press them. They seemed, in fact, to know little about us, but as rebels, who had been successful in throwing off the yoke of the mother country. They were ignorant of our commerce, which had been always monopolized by England, and of the exchange of articles it might offer advantageously to both parties. They were inclined, therefore, to stand aloof, until they could see better what relations might be usefully instituted with us. The negotiations, therefore, begun with Denmark and Tuscany, we protracted designedly, until our powers had expired; and abstained from making new propositions to others having no colonies; because our commerce being an exchange of raw for wrought materials, is a competent price for admission into the colonies of those possessing them; but were we to give it, without price, to others, all would claim it, without price, on the ground of *gentis amicissima*.”

Such was the insufferable affectation of reserve and hauteur, with which the Ambassadors of independent America were treated, by the sapient representatives of the governments of the ancient world. How ridiculous must their short sighted diplomacy appear, at the present day, in the face of all Europe! It is true, the United States had just emerged from a subordinate condition; but a little knowledge of the situation and resources, the people, and institutions of America, would have apprised them of the rank she was destined to hold in the scale of empire, and of the nature of those relations which it was their interest to have established with her. By assuming an air of coyness and indifference, they probably imagined they could inveigle our Ministers into terms more ad-

vantageous to themselves, than they were in the habit of instituting with the old countries, and more experienced agents. But they were met by the untutored negotiators of republican America, with an equal indifference, as just and honorable as theirs was fallacious and disreputable, springing as it did, from a sense of the real value of our commerce, and a determination not to exchange it, in any case, without an adequate equivalent. As soon as they became sensible, therefore, that they could do nothing with the greater Powers, who alone could offer a competent exchange for our commerce, they prudently resolved not to hamper our country with engagements to those of less significance; and accordingly suffered their commission to expire without closing any other negotiation than that with the King of Prussia.

Thus, through the stupidity and avarice of European governments, was lost to the world, a precious opportunity of reforming fundamentally its international code, by the introduction of those wise and beneficent principles, which emanated from the mind of a Jefferson and a Franklin, and which have been the admiration of all nations, in all succeeding times.* “Had these governments,” says Mr. Jefferson, “been then apprised of the station we should so soon occupy among nations, all, I believe, would have met us promptly and with frankness. These principles would then have been established with all, and from being the conventional law with us alone, would have slid into their engagements with one another, and become general. They have not yet got into written history; but their adoption by our southern brethren, will bring them into observance, and make them, what they should be, a part of the law of the world, and of the reformation of principles for which they they will be indebted to us.”

On the 10th of March, 1785, Mr. Jefferson received the unanimous appointment of Minister Plenipotentiary at the Court of

* In allusion to these new principles of international policy, the Edinburgh Review, whose high toryism on all points, makes it the best witness in the case, is constrained to make a respectable acknowledgment. In an article of the July No. 1830, reviewing Jefferson's Works, it says:—

“The foreign policy of the United States is to us a point of more immediate, as, indeed, it some day must become a point of incalculable importance. It involves bold innovations on the principles and practice of the Law of Nations, as hitherto understood and established. Some of these innovations appear to be improvements for the interest of humanity; others, to be only encroachments and pretexts for the interest of America.”

France, as successor to Dr. Franklin, who had obtained leave to return to America. He was re-elected to the same dignified station in October, '87, on the expiration of his first term, and continued to represent the United States at that polite Court, until October, 1789, when he was permitted to return to his native country.

Mr. Adams was about the same time appointed Minister Plenipotentiary to England, and left Paris for London, in June, '85.

Mr. Jefferson accepted the appointment, with a native diffidence, heightened by a sense of the extraordinary merits of his predecessor, and of the exalted estimation in which they had established him with the French nation. In his letter of acceptance, to John Jay, Secretary of Foreign Affairs, he conveys his acknowledgements, in the following terms.

"I beg permission through you, Sir, to testify to Congress my gratitude for this new mark of their favor, and my assurances of endeavoring to merit it by a faithful attention to the discharge of the duties annexed to it. Fervent zeal is all which I can be sure of carrying into your service; and where I fail through a want of those powers which nature and circumstances deny me, I shall rely on their indulgence, and much also on that candor with which your goodness will present my proceedings to their eye. The kind terms in which you are pleased to notify this honor to me, require my sincere thanks."

Mr. Jefferson's reception at the splendid Court of Versailles, as resident Ambassador of America, and his introduction into the brilliant circles of Paris, were of the most flattering character. At first, he was universally pointed to, and appreciated only, as the successor of the admired, the beloved, the venerated Franklin; but in a short time, his own estimable qualities became known, and established him in the affections of the nation, with a firmness and fervor, which rivaled the reputation of his predecessor. He was everywhere, and on all occasions, greeted with a welcome, which harmonized nobly with the trite pre-eminence of that generous people, in all the social dispositions of the heart, and with their cordial attachments, in particular, to the freemen and freedom of the United States. With a mind constituted, as was Mr. Jefferson's, so much in unison with the sensibility, frankness and enthusiasm of the French character, it is not wonderful, that the attentions which were showered upon him, the science of their literary men, the warmth of their general philanthropy, and the devotedness of their

select friendships, made an impression upon him, which he carried, in all its freshness, to his grave.

On the retirement of Dr. Franklin from the diplomatic field, the duties of the joint commission for forming commercial treaties in Europe, devolved on Mr. Jefferson and Mr. Adams; and their separate location, added to their insuperable repugnance to pressing the subject upon the European governments, had almost extinguished the idea of further operations. But in February, 1786, Mr. Jefferson received, by express, a letter from his colleague in London, urging his immediate attendance at that Court, stating as a reason, that he thought he discovered there some symptoms of a more favorable disposition towards the United States. Col. Smith, his Secretary of Legation, was the bearer of Mr. Adams' urgencies. Accordingly, Mr. Jefferson left Paris, on the 1st of March, for the purpose of co-operating with Mr. Adams in a second attempt to negotiate a treaty of commerce with Great Britain. On his arrival in London, the two Ministers joined, and agreed on a very summary and liberal form of treaty to be offered, proposing, in direct terms, a mutual exchange of citizenship, of ships, and of productions generally.

The reader will be amused with Mr. Jefferson's account of the magnanimous reception of their proposition, and of the final result of his trip to the dignified Court of St. James!!

"On my presentation, as usual, to the King and Queen, at their levees, it was impossible for any thing to be more ungracious, than their notice of Mr. Adams and myself. I saw, at once, that the ulcerations of mind in that quarter, left nothing to be expected on the subject of my attendance; and, on the first conference with the Marquis of Caermarthen, the Minister for foreign affairs, the distance and disinclination which he betrayed in his conversation, the vagueness and evasions of his answers to us, confirmed me in the belief of their aversion to have any thing to do with us. We delivered him, however, our *Projet*, Mr. Adams not despairing as much as I did, of its effect. We afterwards, by one or more notes, requested his appointment of an interview and conference, which, without directly declining, he evaded, by pretence of other pressing occupations for the moment. After staying there seven weeks, till within a few days of the expiration of our commission, I informed the Minister, by note, that my duties at Paris required my return to that place, and that I should, with pleasure, be the bearer of any commands to his Ambassador there. He answered, that he had none, and wishing me a pleasant journey, I left London the 26th, and arrived at Paris the 30th of April."

Mr. Jefferson's duties, while Minister Plenipotentiary at Paris, were principally confined to the subject of our commercial relations with that country ; in which he effected many important modifications, highly advantageous to the United States. He succeeded in procuring the receipt of our whale oils, salted fish, and salted meats, on favorable terms ; the admission of our rice on equal terms with that of Piedmont, Egypt, and the Levant ; a suppression of the duties on our wheat, flour, furs, &c. ; the suppression of the monopoly for making and selling spermaceti candles ; the naturalization of our ships ; a mitigation of the monopoly of our tobacco trade by the farmers-general of France ; a reduction of the duties on our tar, pitch, and turpentine ; and the free admission of our productions generally, into their West India islands. In exchange, the United States received, by direct trade, the wines, brandies, oils, and productions and manufactures generally, of France. These objects were not accomplished, however, without a series of difficult and laborious negotiations, aided by the mutual good temper and dispositions of both parties, and by the mediation of a powerful auxiliary and friend at that Court, whose arduous and disinterested services in the cause of America, can never be forgotten.

"On these occasions," says he, "I was powerfully aided by all the influence and the energies of the Marquis de La Fayette, who proved himself equally zealous for the friendship and welfare of both nations ; and, in justice, I must also say, that I found the government entirely disposed to befriend us on all occasions, and to yield us every indulgence, not absolutely injurious to themselves. The Count de Vergennes had the reputation with the diplomatic corps, of being wary and slippery in his diplomatic intercourse ; and so he might be, with those whom he knew to be slippery, and double faced themselves. As he saw that I had no indirect views, practiced no subtleties, meddled in no intrigues, pursued no concealed object, I found him as frank, as honorable, as easy of access to reason, as any man with whom I had ever done business ; and I must say the same for his successor, Montmorin, one of the most honest and worthy of human beings."

Our commerce in the Mediterranean having, at this time, been suddenly placed under alarm, by the capture of two of our vessels and crews, by the Barbary cruisers, Mr. Jefferson projected a coalition of the principal European Powers, subject to their habitual depredations, to compel the piratical States to perpetual peace, and to guaranty that peace to each other. He was early and resolutely

determined, so far as his opinions could have weight, that the United States should never acquiesce in "the European humiliation," as he termed it, of purchasing their peace of those lawless pirates. "Millions for defence, but not a cent for tribute," was his celebrated motto. The following is a statement of his reasons for this dignified and energetic policy, addressed to Mr. Adams, soon after returning to Paris, with a view to obtain his concurrence in the proposition.

"1. Justice is in favor of this opinion. 2. Honor favors it. 3. It will procure us respect in Europe; and respect is a safeguard to interest. 4. It will arm the federal head, with the safest of all the instruments of coercion over its delinquent members, and prevent it from using what would be less safe. I think, that so far you go with me. But in the next steps we shall differ. 5. I think it least expensive. 6. Equally effectual. I ask a fleet of one hundred and fifty guns, the one half of which shall be in constant cruise. This fleet, built, manned, and victualled for six months, will cost four hundred and fifty thousand pounds sterling. Its annual expense will be three hundred pounds sterling a gun, including every thing: this will be forty-five thousand pounds sterling a year. I take British experience for the basis of my calculation: though we know, from our own experience, that we can do in this way for pounds lawful, what costs them pounds sterling. Were we to charge all this to the Algerine war, it would amount to little more than we must pay if we buy peace. But as it is proper and necessary, that we should establish a small marine force, (even were we to buy a peace from the Algerines) and as that force, laid up in our dock-yard, would cost half as much annually as if kept in order for service, we have a right to say, that only twenty two thousand and five hundred pounds sterling, per annum, should be charged to the Algerine war. 7. It will be as effectual. To all the mismanagements of Spain and Portugal, urged to show that war against those people is ineffectual, I urge a single fact to prove the contrary, where there is any management. About forty years ago, the Algerines having broke their treaty with France, this court sent Monsieur de Massiac, with one large and two small frigates: he blockaded the harbor of Algiers three months, and they subscribed to the terms he proposed. If it be admitted, however, that war, on the fairest prospects, is still exposed to uncertainties, I weigh against this the greater uncertainty of the duration of a peace bought with money, from such a people, from a Dey eighty years old, and by a nation who, on the hypothesis of buying peace, is to have no power on the sea to enforce an observance of it.

"So far I have gone on the supposition, that the whole weight of this war would rest on us. But 1. Naples will join us. The

character of their naval minister (Acton), his known sentiments with respect to the peace Spain is officially trying to make for them, and his dispositions against the Algerines, give the best grounds to believe it. 2. Every principle of reason assures us, that Portugal will join us. I state this as taking for granted, what all seem to believe, that they will not be at peace with Algiers. I suppose, then, that a convention might be formed between Portugal, Naples, and the United States, by which the burden of the war might be quoaded on them, according to their respective wealth; and the term of it should be, when Algiers should subscribe to a peace with all three on equal terms. This might be left open for other nations to accede to; and many, if not most of the powers of Europe (except France, England, Holland, and Spain, if her peace be made) would sooner or later enter into the confederacy, for the sake of having their peace with the piratical States guarantied by the whole. I suppose, that, in this case, our proportion of force would not be the half of what I first calculated on."

Presuming on Mr. Adams' concurrence, and without waiting his answer, Mr. Jefferson immediately draughted and proposed to the diplomatic corps at Paris, for consultation with their respective governments, articles of special confederation against the Barbary Powers, in the following terms :

"Proposals for concerted operation among the powers at war with the piratical States of Barbary.

1. It is proposed, that the several powers at war with the piratical States of Barbary, or any two or more of them, who shall be willing, shall enter into a convention to carry on their operations against those States, in concert, beginning with the Algerines.

2. This convention shall remain open to any other power, who shall, at any future time, wish to accede to it: the parties reserving the right to prescribe the conditions of such accession, according to the circumstances existing at the time it shall be proposed.

3. The object of the convention shall be to compel the piratical States to perpetual peace, without price, and to guaranty that peace to each other.

4. The operations for obtaining this peace, shall be constant cruises on their coast, with a naval force now to be agreed on. It is not proposed, that this force shall be so considerable, as to be inconvenient to any party. It is believed, that half a dozen frigates, with as many tenders or xebecs, one half of which shall be in cruise, while the other half is at rest, will suffice.

5. The force agreed to be necessary, shall be furnished by the parties, in certain quotas, now to be fixed; it being expected, that each will be willing to contribute, in such proportion as circumstances may render reasonable.

6. As miscarriages often proceed from the want of harmony among officers of different nations, the parties shall now consider and decide, whether it will not be better to contribute their quotas in money, to be employed in fitting out and keeping on duty a single fleet of the force agreed on.

7. The difficulties and delays, too, which will attend the management of these operations, if conducted by the parties themselves separately, distant as their courts may be from one another, and incapable of meeting in consultation, suggest a question, whether it will not be better for them to give full powers, for that purpose, to their Ambassadors, or other Ministers resident at some one court of Europe, who shall form a Committee, or Council, for carrying this convention into effect; wherein, the vote of each member shall be computed in proportion to the quota of his sovereign, and the majority so computed, shall prevail in all questions within the view of this convention. The court of Versailles is proposed, on account of its neighborhood to the Mediterranean, and because all those powers are represented there, who are likely to become parties to this Convention.

8. To save to that Council the embarrassment of personal solicitations for office, and to assure the parties, that their contributions will be applied solely to the object for which they are destined, there shall be no establishment of officers for the said Council, such as Commissioners, Secretaries, or any other kind, with either salaries or perquisites, nor any other lucrative appointments, but such whose functions are to be exercised on board the said vessels.

9. Should war arise between any two of the parties to this convention, it shall not extend to this enterprise, nor interrupt it; but as to this, they shall be reputed at peace.

10. When Algiers shall be reduced to peace, the other piratical States, if they refuse to discontinue their piracies, shall become the objects of this convention, either successively or together, as shall seem best.

11. Where this convention would interfere with treaties actually existing between any of the parties and the States of Barbary, the treaty shall prevail, and such party shall be allowed to withdraw from the operations against that State."

The proposals were received with applause by Portugal, Naples, the two Sicilies, Venice, Malta, Demark, and Sweden. Spain had just concluded a treaty with Algiers, at the expense of three millions of dollars, and was indisposed to relinquish the benefit of her engagement, until a first infraction by the other party, when she was ready to join. Mr. Jefferson had previously sounded the dispositions of the Count de Vergennes; and although France was at peace, by a mercenary tenure, with the Barbary States, and fears

were entertained, that she would secretly give them her aid, he did not think it proper, in his conference with that Minister, to insinuate a doubt of the fair conduct of his government ; but on stating to him the proposition, he mentioned that apprehensions were felt, that *England* would interfere in behalf of the piratical Powers. 'She dares not do it,' was his reply. Mr. Jefferson pressed the point no further. The other Ministers were satisfied with this indication of the sentiments of France, and nothing was now wanting to bring the measure into direct consideration, but the assent of the United States, and their authority to make the formal stipulation. Mr. Jefferson communicated to Congress the favorable prospect of protecting their commerce from the Barbary depredations, and for such a term of time, as by an exclusion of them from the sea, would change their characters, from a predatory to an agricultural people ; towards which, however, should the measure be approved, it was expected they would contribute a frigate, and its expenses, for constant cruise. But the United States were in no condition to unite in such an undertaking. The powers of Congress over the people for obtaining contributions, being merely recommendatory, and openly disregarded by the States, they declined entering into an engagement, which they were conscious they could not fulfil with punctuality. The association, consequently, fell through ; but the principle has ever since governed in the American councils, and its first recommendation by Mr. Jefferson, on the present occasion, may be regarded as the germ of the American Navy ! This point will receive a further illustration in the sequel.

The remaining public objects of importance, which engaged his attention, were : 1st, The settlement of our financial concerns with our bankers in France and Holland, which were in a most critical and embarrassing state. Owing to the partial suspension in the action of our government, while passing from the Confederation to the Constitutional form, the credit of the nation stood, at one time, on the verge of bankruptcy. Seeing there was not a moment to lose, Mr. Jefferson went directly to Holland, joined Mr. Adams at the Hague, where, without instructions, and at their own risk, they executed bonds for a million of florins, and placed the credit of the United States in security, for three years to come ; by which time they thought the new government would get fairly under way. 2d, The conclusion of a Consular convention with

France, based upon republican principles. 3d, The restoration of certain prizes taken from the British during the war, recaptured by Denmark, and delivered up to the British. He instituted measures to recover indemnification from Denmark ; but the negotiation, by unavoidable circumstances, was spun out beyond the term of his ministry. 4th, The redemption of American citizens taken captive by the Algerines ; and the formation of treaties with the Barbary States. The inability of the United States to supply him with the necessary funds, prevented the redemption of the Algerine captives, until after his return from France ; and the only treaty which he succeeded in concluding with the Barbary States, was that with the government of Morocco.

It will be alike curious and interesting to the American reader, to know how the general appearance of things in Europe, struck the republican mind of Mr. Jefferson. His private letters, while in Paris, addressed to his friends in America, comprise the most nervous, and in some respects, the most valuable portions of his voluminous correspondence. His bold and picturesque views of the state of society and manners in Europe, his fervid and graphic comparisons of its governments, laws and institutions, with those of republicanized America, and his cogent and unremitting exhortations to his countrymen, to preserve themselves, and the blessings they enjoy, free from contamination from the people and principles of the old world, are among the most valuable and interesting legacies which he has bequeathed to his country. We shall be excused for indulging in copious selections from his correspondence, during this various and widely instructive interval of his public life.

TO MR. MONROE.—“I sincerely wish you may find it convenient to come here ; the pleasure of the trip will be less than you expect, but the utility greater. It will make you adore your own country, its soil, its climate, its equality, liberty, laws, people and manners. My God ! how little do my countrymen know what precious blessings they are in possession of, and which no other people on earth enjoy. I confess I had no idea of it myself. While we shall see multiplied instances of Europeans going to live in America, I will venture to say no man now living, will ever see an instance of an American removing to settle in Europe, and continuing there. Come then and see the proofs of this, and on your return, add your testimony to that of every thinking American, in order to satisfy our countrymen how much it is their interest to preserve, uninfected-

ed by contagion, those peculiarities in their governments and manners, to which they are indebted for those blessings."

To Mr. BELLINI.—"Behold me at length on the vaunted scene of Europe! It is not necessary for your information, that I should enter into details concerning it. But you are, perhaps, curious to know how this new scene has struck a savage of the mountains of America. Not advantageously, I assure you. I find the general fate of humanity here most deplorable. The truth of Voltaire's observation offers itself perpetually, that every man here must be either the hammer or the anvil. It is a true picture of that country to which they say we shall pass hereafter, and where we are to see God and his angels in splendor, and crowds of the damned trampled under their feet. While the great mass of the people are thus suffering under physical and moral oppression, I have endeavored to examine more nearly the condition of the great, to appreciate the true value of the circumstances in their situation which dazzle the bulk of spectators, and, especially, to compare it with that degree of happiness which is enjoyed in America by every class of people. Intrigues of love occupy the younger, and those of ambition the elder part of the great. Conjugal love having no existence among them, domestic happiness, of which that is the basis, is utterly unknown. In lieu of this, are substituted pursuits which nourish and invigorate all our bad passions, and which offer only moments of ecstasy, amidst days and months of restlessness and torment. Much, very much inferior, this, to the tranquil, permanent felicity, with which domestic society in America blesses most of its inhabitants; leaving them to follow steadily those pursuits which health and reason approve, and rendering truly delicious the intervals of those pursuits.

"In science, the mass of the people is two centuries behind ours; their literati, half a dozen years before us. Books, really good, acquire just reputation in that time, and so become known to us, and communicate to us all their advances in knowledge. Is not this delay compensated, by our being placed out of the reach of that swarm of nonsensical publications, which issues daily from a thousand presses, and perishes almost in issuing? With respect to what are termed polite manners, without sacrificing too much the sincerity of language, I would wish my countrymen to adopt just so much of European politeness, as to be ready to make all those little sacrifices of self, which really render European manners amiable, and relieve society from the disagreeable scenes to which rudeness often subjects it. Here, it seems that a man might pass a life without encountering a single rudeness. In the pleasures of the table they are far before us, because with good taste they unite temperance. They do not terminate the most sociable meals by transforming themselves into brutes. I have never yet seen a man drunk in France, even among the lowest of the people. Were I to proceed

to tell you how much I enjoy their architecture, sculpture, painting, music, I should want words. It is in these arts they shine. The last of them, particularly, is an enjoyment, the deprivation of which with us cannot be calculated. I am almost ready to say, it is the only thing which from my heart I envy them, and which, in spite of all the authority of the Decalogue, I do covet. But I am running on in an estimate of things infinitely better known to you than to me, and which will only serve to convince you, that I have brought with me all the prejudices of country, habit, and age."

TO J. BANNISTER, Jr.—"But why send an American youth to Europe for education? What are the objects of an useful American education? Classical knowledge, modern languages, chiefly French, Spanish and Italian; Mathematics, Natural Philosophy, Natural History, Civil History, and Ethics. In Natural Philosophy, I mean to include Chemistry and Agriculture, and in Natural History, to include Botany, as well as the other branches of those departments. It is true, that the habit of speaking the modern languages cannot be so well acquired in America; but every other article can be as well acquired at William and Mary College, as at any place in Europe. When college education is done with, and a young man is to prepare himself for public life, he must cast his eyes (for America) either on Law or Physic. For the former, where can he apply so advantageously as to Mr. Wythe? For the latter, he must come to Europe: the medical class of students, therefore, is the only one which need come to Europe. Let us view the disadvantages of sending a youth to Europe. To enumerate them all, would require a volume. I will select a few. If he goes to England, he learns drinking, horse racing, and boxing. These are the peculiarities of English education. The following circumstances are common to education in that, and the other countries of Europe. He acquires a fondness for European luxury and dissipation, and a contempt for the simplicity of his own country; he is fascinated with the privileges of the European aristocrats, and sees, with abhorrence, the lovely equality which the poor enjoy with the rich in his own country; he contracts a partiality for aristocracy or monarchy; he forms foreign friendships which will never be useful to him, and loses the season of life for forming in his own country those friendships, which, of all others, are the most faithful and permanent; he is led by the strongest of all the human passions into a spirit for female intrigue, destructive of his own and others' happiness, or a passion for harlots, destructive of his health, and in both cases, learns to consider fidelity to the marriage bed as an ungentlemanly practice, and inconsistent with happiness; he recollects the voluptuary dress and arts of the European women, and pities and despises the chaste affections and simplicity of those of his own country; he retains, through life, a fond recollection, and

a hankering after those places, which were the scenes of his first pleasures and of his first connections; he returns to his own country a foreigner, unacquainted with the practices of domestic economy necessary to preserve him from ruin, speaking and writing his native tongue as a foreigner, and therefore unqualified to obtain those distinctions, which eloquence of the pen and tongue ensures in a free country; for I would observe to you, that what is called style in writing or speaking, is formed very early in life, while the imagination is warm, and impressions are permanent. I am of opinion, that there never was an instance of a man's writing or speaking his native tongue with elegance, who passed from fifteen to twenty years of age out of the country where it was spoken. Thus, no instance exists of a person's writing two languages perfectly. That will always appear to be his native language, which was most familiar to him in his youth. It appears to me then, that an American coming to Europe for education, loses in his knowledge, in his morals, in his health, in his habits, and in his happiness. I had entertained only doubts on this head, before I came to Europe: what I see and hear, since I came here, proves more than I had even suspected. Cast your eye over America: who are the men of most learning, of most eloquence, most beloved by their countrymen, and most trusted and promoted by them? They are those who have been educated among them, and whose manners, morals, and habits, are perfectly homogeneous with those of the country."

TO MRS. BINGHAM.—"I know, Madam, that the twelve-month is not yet expired; but it will be, nearly, before this will have the honor of being put into your hands. You are then engaged to tell me, truly and honestly, whether you do not find the tranquil pleasures of America, preferable to the empty bustle of Paris. For to what does that bustle tend? At eleven o'clock, it is day, *chez madame*, the curtains are drawn. Propped on bolsters and pillows, and her head scratched into a little order, the bulletins of the sick are read, and the billets of the well. She writes to some of her acquaintance, and receives the visits of others. If the morning is not very thronged, she is able to get out and hobble round the cage of the *Palais Royal*; but she must hobble quickly, for the *coiffeur's* turn is come; and a tremendous turn it is! Happy, if he does not make her arrive when dinner is half over! The torpidity of digestion a little passed, she flutters half an hour through the streets, by way of paying visits, and then to the spectacles. These finished, another half hour is devoted to dodging in and out of the doors of her very sincere friends, and away to supper. After supper, cards; and after cards, bed; to rise at noon the next day, and to tread, like a mill-horse, the same trodden circle over again. Thus the days of life are consumed, one by one, without an object beyond the present moment; ever flying from the *ennui* of that, yet carrying it with

us; eternally in pursuit of happiness, which keeps eternally before us. If death or bankruptcy happen to trip us out of the circle, it is matter for the buzz of the evening, and is completely forgotten by the next morning. In America, on the other hand, the society of your husband, the fond cares for the children, the arrangements of the house, the improvements of the grounds, fill every moment with a healthy and useful activity. Every exertion is encouraging, because to present amusement it joins the promise of some future good. The intervals of leisure are filled by the society of real friends, whose affections are not thinned to cob-web, by being spread over a thousand objects. This is the picture, in the light it is presented to my mind; now let me have it in yours. If we do not concur this year, we shall the next; or if not then, in a year or two more. You see I am determined not to suppose myself mistaken."

It was during Mr. Jefferson's residence in France, that the government of the United States underwent the crisis of transition "from its chrysalid to its organic form," to use one of his own happy metaphors; and in the course of this final and interesting metamorphosis, opinions were gradually evolved, which were fundamentally dissonant in character, and which ultimately divided the nation into two distinct and perpetual parties. Soon after the restoration of peace, the incompetency of the Confederation to sustain the republican structure, was so alarmingly felt, that reasonable minds gave way, even of those who had been most ardent in its establishment; and they apostatized, in numbers, to the principles of monarchical government, as the only refuge of political safety.

The causes of this deflection in political opinion, are inherent, more or less, in the constitution of man; but powerful external reasons co-operated, at this period, to stimulate and force it on. The people had come out of the war of the Revolution, oppressed with an overwhelming indebtedness. They were oppressed with the debts of the Union, with the debts of the individual States, and with their own private debts; and they were utterly incapacitated from discharging either, for the best of all causes, the want of pecuniary means. The inability of Congress, from the want of coercive powers, to cancel the public obligations, destroyed the public credit; and the application of judgment and execution, in the case of private debts, drove the delinquent to prison, and destroyed the confidence between man and man. The interruption of their commerce with Great Britain, and the deficiency, as yet, of other markets for their productions, operated with peculiar severity upon the Eastern States;

and the neglect of a suitable relaxation of the judiciary arm, in those governments, brought on disastrous consequences. Under the pressure of the general distress, the popular discontent broke out into acts of violence, and flagrant insubordination. Tumultuary meetings were held in New-Hampshire and Connecticut ; and in Massachusetts a formidable insurrection arose, which menaced the very foundations of the government.

These disturbances and commotions occasioned a general alarm throughout the Union. They excited a sensible distrust of the principles of our government, among its most sanguine votaries ; while, with its enemies, the intelligence of such occurrences was greeted with exultation, as affording a happy augury of the downfall of the Republic. Now it was, that those comforting ideas of public virtue, on which the beautiful edifice of Liberty was erected, began to be scouted as fallacious, chimerical. The people were discredited, feared ; and terror was to be fixed in their hearts, and in the mechanism of their government, as the only competent motive of restraint, and engine of subordination.

Mr. Jefferson was distant from his beloved country, at this disheartening juncture ; but his beneficent eye watched over her, and the voice of his counsels was heard and felt. His confidence in the soundness of the republican theory, underwent no change from those occasional eccentricities in practice, which are inseparable from all human establishments, and which were chargeable, in the present case, to the pressure of the times, and the debilities of their first written essay, rather than to any inherent principle of disorganization. His reliance upon the good sense of the people to rectify abuses in a proper manner, was so strong, that he deemed an occasional rebellion a desirable event, inasmuch as it afforded the best evidence, that this sense was active and vigorous ; to enlighten it, then, was the only thing necessary to ensure a favorable result. Indeed, his conviction of the capacity of mankind to govern themselves, was confirmed by the intelligence of these irregular proofs of their dissatisfaction under the present circumstances ; and he took care to impress his opinions upon his numerous correspondents in America, on every occasion, and in the most emphatic terms. An insight into his private correspondence, at this period, will afford a sublime entertainment to the lovers of human nature, and human rights.

TO COL. E. CARRINGTON.—“I am persuaded myself, that the good sense of the people will always be found to be the best army. They may be led astray for a moment, but will soon correct themselves. The people are the only censors of their governors; and even their errors will tend to keep these to the true principles of their institution. To punish these errors too severely, would be to suppress the only safeguard of the public liberty. The way to prevent these irregular interpositions of the people, is to give them full information of their affairs, through the channel of the public papers, and to contrive that those papers should penetrate the whole mass of the people. The basis of our governments being the opinion of the people, the very first object should be to keep that right; and were it left to me to decide, whether we should have a government without newspapers, or newspapers without a government, I should not hesitate a moment to prefer the latter. But I should mean, that every man should receive those papers, and be capable of reading them. I am convinced that those societies, (as the Indians) which live without government, enjoy in their general mass an infinitely greater degree of happiness, than those who live under the European governments. Among the former, public opinion is in the place of law, and restrains morals as powerfully as laws ever did any where. Among the latter, under pretence of governing, they have divided their nation into two classes, wolves and sheep. I do not exaggerate. This is the true picture of Europe. Cherish, therefore, the spirit of our people, and keep alive their attention. Do not be too severe upon their errors, but reclaim them by enlightening them. If once they become inattentive to the public affairs, you, and I, and Congress, and Assemblies, Judges and Governors, shall all become wolves. It seems to be the law of our general nature, in spite of individual exceptions: and experience declares, that man is the only animal which devours his own kind; for I can apply no milder term to the governments of Europe, and to the general prey of the rich on the poor.”

TO JAMES MADISON.—“I am impatient to learn your sentiments on the late troubles in the Eastern States. So far as I have yet seen, they do not appear to threaten serious consequences. Those States have suffered by the stoppage of the channels of their commerce, which have not yet found other issues. This must render money scarce, and make the people uneasy. This uneasiness has produced acts absolutely unjustifiable: but I hope they will provoke no severities from their governments. A consciousness of those in power, that their administration of the public affairs has been honest, may, perhaps, produce too great a degree of indignation: and those characters wherein fear predominates over hope, may apprehend too much from these instances of irregularity. They may conclude too hastily, that nature has formed man insusceptible of any other gov-

ernment than that of force, a conclusion not founded in truth nor experience. Societies exist under three forms, sufficiently distinguishable. 1. Without government, as among our Indians. 2. Under governments, wherein the will of every one has a just influence; as is the case in England, in a slight degree, and in our States, in a great one. 3. Under governments of force; as is the case in all other monarchies, and in most of the other republics. To have an idea of the curse of existence under these last, they must be seen. It is a government of wolves over sheep. It is a problem, not clear in my mind, that the first condition is not the best. But I believe it to be inconsistent with any great degree of population. The second state has a great deal of good in it. The mass of mankind under that enjoys a precious degree of liberty and happiness. It has its evils too: the principal of which is the turbulence to which it is subject. But weigh this against the oppressions of monarchy, and it becomes nothing. *Malo periculosam libertatem quam quietam servitutem.* Even this evil is productive of good. It prevents the degeneracy of government, and nourishes a general attention to the public affairs. I hold it, that a little rebellion now and then is a good thing, and as necessary in the political world, as storms in the physical. Unsuccessful rebellions, indeed, generally establish the encroachments on the rights of the people, which have produced them. An observation of this truth should render honest republican governors so mild in their punishment of rebellions, as not to discourage them too much. It is a medicine necessary for the sound health of government."

To DAVID HARTLEY, of England.—"The most interesting intelligence from America, is that respecting the late insurrection in Massachusetts. The cause of this has not been developed to me to my perfect satisfaction. The most probable is, that those individuals were of the imprudent number of those who have involved themselves in debt beyond their abilities to pay, and that a vigorous effort in that government to compel the payment of private debts, and raise money for public ones, produced the resistance. I believe you may be assured, that an idea or desire of returning to any thing like their ancient government, never entered into their heads. I am not discouraged by this. For thus I calculate. An insurrection in one of thirteen States, in the course of eleven years that they have subsisted, amounts to one in any particular State, in one hundred and forty-three years, say a century and a half. This would not be near as many as have happened in every other government that has ever existed. So that we shall have the difference between a light and a heavy government as clear gain. I have no fear, but that the result of our experiment will be, that men may be trusted to govern themselves without a master. Could the contrary of this be proved, I should conclude, either that there is no God, or that he is a malevolent being.

TO COL. SMITH.—“Wonderful is the effect of impudent and persevering lying. The British ministry have so long hired their gazetteers to repeat, and model into every form, lies about our being in anarchy, that the world has at length believed them, the English nation has believed them, the ministers themselves have come to believe them, and what is more wonderful, we have believed them ourselves. Yet where does this anarchy exist? Where did it ever exist, except in the single instance of Massachusetts? And can history produce an instance of rebellion so honorably conducted? I say nothing of its motives. They were founded in ignorance, not wickedness. God forbid, we should ever be twenty years without such a rebellion. The people cannot be all, and always, well informed. The part which is wrong will be discontented, in proportion to the importance of the facts they misconceive. If they remain quiet under such misconceptions, it is a lethargy, the forerunner of death to the public liberty. We have had thirteen States independent for eleven years. There has been one rebellion. That comes to one rebellion in a century and a half for each State. What country before ever existed a century and a half without a rebellion? And what country can preserve its liberties, if its rulers are not warned from time to time, that the people preserve the spirit of resistance? Let them take arms. The remedy is to set them right as to facts, pardon, and pacify them. What signify a few lives lost in a century or two? The tree of liberty must be refreshed from time to time with the blood of patriots and tyrants. It is its natural manure.”

Such is a specimen of the current of sound philosophy, which Mr. Jefferson poured into the breasts of the public characters of America, at this important juncture. His opinions were received with veneration by all those with whom he had acted on the theatre of the Revolution; and his earnest and unremitting counsels had a powerful influence in checking the anti-republican tendencies, which had already risen up. In a short time, the deluge of evils which overflowed the country, was traced to its original source; and no sooner was the happy discovery made, than the virtue and good sense of the people, in verification of his repeated auguries, nobly interposed, and, instead of seeking relief in rebellion and civil war, assembled their wise men together to apply a rational and peaceable remedy.

The first grand movement towards re-organizing the government of the United States, upon the admirable basis of the present Constitution, was made in the General Assembly of Virginia, on motion of Mr. Madison. The proposition contemplated an amendment of

the Confederation, which should confer on Congress the absolute and exclusive power over the regulation of commerce ; and resulted in the convocation of a Convention for that purpose, to meet at Annapolis, in September, 1786. The commercial Convention failed in point of representation ; but it laid the foundation for the call of a grand National Convention, with powers to revise the entire system of government, to meet at Philadelphia the ensuing year.

The opinions of Mr. Jefferson had an undoubted influence in the origination of these important proceedings in America. In all his despatches to the government, and in his private letters to the leading political men, he had reiterated the necessity of fundamental reformatations in the federal compact. The defect which he most deplored in the existing system, was the absence of a uniform power to regulate our commercial intercourse with foreign nations. This disability was the incessant theme of his complaints. It was the primary source, he declared, of those irregularities and embarrassments, which continually obstructed his negotiations with the European nations. Those Powers who were disposed to treat, would never do it, so long as the government had no authority to cover them, by treaty, from the navigation acts of the particular States, and those who were indisposed, at present, would forever remain so for the same reason ; whilst all would exercise the right to retaliate on the Union, the restrictions imposed on their commerce by the laws of any one individual State. He maintained a constant correspondence on these points with Washington, Wythe, Monroe, Langdon, Gerry, and particularly his friend and protegee, Madison, with whom his wishes were laws, and his opinions, oracles. The intelligence of the first movements in America, towards a reformation of the national compact, filled him with the liveliest gratification, as evinced by his letters of that date. A single specimen will suffice to show the general tenor of his correspondence on this subject.

TO JAMES MADISON.—“ I have heard, with great pleasure, that our Assembly have come to the resolution, of giving the regulation of their commerce to the federal head. I will venture to assert, that there is not one of its opposers, who, placed on this ground, would not see the wisdom of the measure. The politics of Europe render it indispensably necessary, that, with respect to every thing external, we be one nation only, firmly hooped together. Interior government is what each State should keep to itself. If it were seen in

Europe, that all our States could be brought to concur in what the Virginia Assembly has done, it would produce a total revolution in their opinion of us, and respect for us. And it should ever be held in mind, that insult and war are the consequences of a want of respectability in the national character. As long as the States exercise, separately, those acts of power which respect foreign nations, so long will there continue to be irregularities committed by some one or other of them, which will constantly keep us on an ill footing with foreign nations."

The National Convention, appointed to digest a new Constitution of government, assembled at Philadelphia, on the 25th of May, 1787. Delegates attended from all the States, except Rhode-Island, who refused to appoint. George Washington was unanimously chosen to preside over their deliberations. They sat with closed doors, and passed an injunction of entire secrecy on their proceedings. This was an erroneous beginning, in the opinion of Mr. Jefferson, who viewed every encroachment upon the freedom of speech with extreme jealousy. "I am sorry," he writes to Mr. Adams, "they began their deliberations by so abominable a precedent, as that of tying up the tongues of their members. Nothing can justify this example, but the innocence of their intentions, and ignorance of the value of public discussions. I have no doubt that all their other measures will be good and wise. It is really an assembly of demi-gods."

During the deliberations and discussions of this august and venerable body, those fearful anti-republican heresies, which had sprung up during the short interval of peace, developed themselves in a more tangible and decided form. Various propositions were submitted, some of which were dangerous approximations to monarchy. One of these, proposed by Alexander Hamilton, was in fact a compromise between the two principles of royalism and republicanism. According to this plan, the Executive and one branch of the Legislature, were to continue in office during good behavior; and the Governors of the States were to be named by these two permanent organs. The proposition, however, was rejected; upon which Mr. Hamilton left the Convention, and never returned again until near its conclusion.

Although a stranger to these transactions, Mr. Jefferson could not contemplate the idea of such a convention without great anxiety,

knowing, as he did, the political degeneracies which had arisen among his countrymen. His counsels were eagerly solicited by Madison, Wythe, and others, from time to time, during the progress of the Convention, and he communicated to them his opinions, with equal modesty and frankness. It is very evident, from the tenor of some of his answers, that he had received hints of the strong monarchical dispositions which characterized a considerable portion of the members. His fears were so strong from this direction, that he leaned heavily the other way, in stating his opinions of the necessary reformatiions.

To Mr. MADISON.—“The idea of separating the executive business of the confederacy from Congress, as the judiciary is already, in some degree, is just and necessary. I had frequently pressed on the members individually, while in Congress, the doing this by a resolution of Congress for appointing an executive committee, to act during the sessions of Congress, as the committee of the States was to act during their vacations. But the referring to this committee all executive business, as it should present itself, would require a more persevering self-denial than I suppose Congress to possess. It would be much better to make that separation by a federal act. The negative proposed to be given them on all the acts of the several legislatures, is now, for the first time, suggested to my mind. *Prima facie*, I do not like it. It fails in an essential character; that the hole and the patch should be commensurate. But this proposes to mend a small hole, by covering the whole garment. Not more than one out of one hundred State acts, concern the confederacy. This proposition, then, in order to give them one degree of power, which they ought to have, gives them ninety-nine more, which they ought not to have, upon a presumption that they will not exercise the ninety-nine.”

To E. CARRINGTON.—“I confess, I do not go as far in the reforms thought necessary, as some of my correspondents in America; but if the convention should adopt such propositions, I shall suppose them necessary. My general plan would be, to make the States one, as to every thing connected with foreign nations, and several as to every thing purely domestic. But with all the imperfections of our present government, it is, without comparison, the best existing, or that ever did exist. Its greatest defect is the imperfect manner in which matters of commerce have been provided for.”

To Mr. HAWKINS.—“I look up with you to the federal convention, for an amendment of our federal affairs. Yet I do not view them in so disadvantageous a light at present, as some do. And above all things, I am astonished at some people's considering a

kingly government as a refuge. Advise such to read the fable of the frogs, who solicited Jupiter for a king. If that does not put them to rights, send them to Europe, to see something of the trappings of monarchy, and I will undertake, that every man shall go back thoroughly cured. If all the evils which can arise among us, from the republican form of government, from this day to the day of judgment, could be put into a scale against what this country suffers from its monarchical form, in a week, or England, in a month, the latter would preponderate. Consider the contents of the Red book in England, or the Almanac Royale of France, and say what a people gain by monarchy. No race of kings has ever presented above one man of common sense, in twenty generations. The best they can do is, to leave things to their ministers; and what are their ministers, but a committee badly chosen? If the king ever meddles, it is to do harm."

TO J. JONES—"I am anxious to hear what our federal convention recommends, and what the States will do in consequence of their recommendation. * * * With all the defects of our constitution, whether general or particular, the comparison of our governments with those of Europe, is like a comparison of heaven and hell. England, like the earth, may be allowed to take the intermediate station. And yet I hear there are people among you, who think the experience of our governments has already proved, that republican governments will not answer. Send those gentry here, to count the blessings of monarchy. A king's sister, for instance, stopped in the road, and on a hostile journey, is sufficient cause for him to march immediately twenty-thousand men to revenge the insult, when he had shown himself little moved by the matter of right then in question."

TO G. WYTHE—"You ask me in your letter what ameliorations I think necessary in our federal constitution. It is now too late to answer the question, and it would have always been presumption in me to have done it. Your own ideas, and those of the great characters who were to be concerned with you in these discussions, will give the law, as they ought to do, to us all. My own general idea was,* that the States should severally preserve their sovereignty in whatever concerns themselves alone; and that whatever may concern another State, or any foreign nation, should be made a part of the federal sovereignty; that the exercise of the federal sovereignty should be divided among three several bodies, legislative, executive, and judiciary, as the State sovereignties are; and that some peaceable means should be contrived, for the federal head to force compliance on the part of the States."

TO GENERAL WASHINGTON—"I remain in hopes of great and good effects from the decision of the Assembly over which you are presiding. To make our States one, as to all foreign concerns, pre-

serve them several as to all merely domestic, to give to the federal head some peaceable mode of enforcing its just authority, to organize that head into legislative, executive, and judiciary departments, are great *desiderata* in our federal constitution. Yet with all its defects, and with all those of our particular governments, the inconveniences resulting from them are so light, in comparison with those existing in every other government, on earth, that our citizens may certainly be considered as in the happiest political situation which exists."

On the 17th of September, '87, the National Convention dissolved, and submitted the result of their labors to the world. A more perfect political work, probably, never emanated from any assembly of men; and nothing but a spirit of amity and mutual concession, unrivaled in national transactions, could have elicited such a result from such a discordancy of minds. The instrument, however, was not without its defects; and as these were all on the side of power, and too palpable not to be detected by an intelligent people, it excited among the more jealous partisans of liberty, such a tempest of opposition, as rendered its acceptance by the nation extremely problematical. It was taken up by special conventions in the several States, in the years '87 and '88. The contest raged the severest in Virginia, New York, Massachusetts, and New Hampshire. In these States, the public discussions were vehement and agitating; but the question was finally carried in favor of ratification, by small majorities, in all of them. In Georgia, New Jersey, and Delaware, the Constitution was ratified without opposition; and by considerable majorities, in Pennsylvania, Connecticut, Maryland, and South Carolina. North Carolina would only accept it upon the condition of previous amendments. Rhode Island declined calling a convention, and did not accede to the Union until May, 1790. Six States ratified without qualification, and seven, with the recommendation of certain specified amendments.

Mr. Jefferson received a copy of the new Constitution early in November, '87. He read and contemplated its provisions with great satisfaction, though not without serious apprehensions from some of its features. His principal objections were, the absence of a Declaration of Rights ensuring freedom of religion, freedom of the press, freedom of the person under the uninterrupted protection of the *habeas corpus*, the trial by jury in civil as well as criminal cases; and the perpetual re-eligibility of the President. His opin-

ions were immediately consulted by his political friends in the United States, and he communicated to them his approbations and objections, without reserve. They are found stated at length, and in a most interesting manner, in a letter to Mr. Madison, dated Paris, December 20th, 1787.

“I like much the general idea of framing a government, which should go on of itself, peaceably, without needing continual recurrence to the State legislatures. I like the organization of the government into legislative, judiciary, and executive. I like the power given the legislature to levy taxes, and for that reason solely, I approve of the greater House being chosen by the people directly. For though I think a House, so chosen, will be very far inferior to the present Congress, will be very illy qualified to legislate for the Union, for foreign nations, &c. ; yet this evil does not weigh against the good of preserving inviolate the fundamental principle, that the people are not to be taxed but by representatives chosen immediately by themselves. I am captivated by the compromise of the opposite claims of the great and little States, of the latter to equal, and the former to proportional influence. I am much pleased, too, with the substitution of the method of voting by persons, instead of that of voting by States ; and I like the negative given to the Executive, conjointly with a third of either House ; though I should have liked it better, had the judiciary been associated for that purpose, or invested separately with a similar power. There are other good things of less moment.

“I will now tell you what I do not like. First, the omission of a bill of rights, providing clearly, and without the aid of sophism, for freedom of religion, freedom of the press, protection against standing armies, restriction of monopolies, the eternal and unremitting force of the *habeas corpus* laws, and trials by jury in all matters of fact triable by the laws of the land, and not by the laws of nations. To say, as Mr. Wilson does, that a bill of rights was not necessary, because all is reserved in the case of the general government, which is not given, while in the particular ones, all is given which is not reserved, might do for the audience to which it was addressed : but it is surely a *gratis dictum*, the reverse of which might just as well be said ; and it is opposed by strong inferences from the body of the instrument, as well as from the omission of the clause of our present Confederation, which had made the reservation in express terms. It was hard to conclude, because there had been a want of uniformity among the States as to the cases triable by jury, because some have been so incautious as to dispense with this mode of trial in certain cases, therefore the more prudent States shall be reduced to the same level of calamity. It would have been much more just and wise to have concluded the other way, that as most of the States had preserved,

with jealousy this sacred palladium of liberty, those who had wandered, should be brought back to it: and to have established general right rather than general wrong. For I consider all the ill as established, which may be established. I have a right to nothing, which another has a right to take away; and Congress will have a right to take away trials by jury in all civil cases. Let me add, that a bill of rights is what the people are entitled to against every government on earth, general or particular; and what no just government should refuse, or rest on inference.

“The second feature I dislike, and strongly dislike, is the abandonment, in every instance, of the principle of rotation in office, and most particularly in the case of the President. Reason and experience tell us, that the first magistrate will always be re-elected if he may be re-elected. He is then an officer for life. This once observed, it becomes of so much consequence to certain nations, to have a friend or a foe at the head of our affairs, that they will interfere with money and with arms. A Galloman, or an Anglo-man, will be supported by the nation he befriends. If once elected, and at a second or third election outvoted by one or two votes, he will pretend false votes, foul play, hold possession of the reins of government, be supported by the States voting for him, especially if they be the central ones, lying in a compact body themselves, and separating their opponents: and they will be aided by one nation in Europe, while the majority are aided by another. The election of a President of America, some years hence, will be much more interesting to certain nations of Europe, than ever the election of a king of Poland was. Reflect on all the instances in history, ancient and modern, of elective monarchies, and say, if they do not give foundation for my fears: the Roman Emperors, the Popes while they were of any importance, the German Emperors till they became hereditary in practice, the kings of Poland, the Deys of the Ottoman dependencies. It may be said, that if elections are to be attended with these disorders, the less frequently they are repeated the better. But experience says, that to free them from disorder, they must be rendered less interesting by a necessity of change. No foreign power, nor domestic party, will waste their blood and money to elect a person, who must go out at the end of a short period. The power of removing every fourth year by the vote of the people, is a power which they will not exercise, and if they were disposed to exercise it, they would not be permitted. The King of Poland is removable every day by the diet. But they never remove him. Nor would Russia, the Emperor, &c. permit them to do it. Smaller objections are, the appeals on matters of fact as well as law; and the binding all persons, legislative, executive and judiciary, by oath, to maintain that constitution. I do not pretend to decide, what would be the best method of procuring the establishment of the manifold good things

in this constitution, and of getting rid of the bad. Whether by adopting it, in hopes of future amendment; or, after it shall have been duly weighed and canvassed by the people, after seeing the parts they generally dislike, and those they generally approve, to say to them, 'We see now what you wish. You are willing to give to your federal government such and such powers: but you wish, at the same time, to have such and such fundamental rights secured to you, and certain sources of convulsion taken away. Be it so. Send together your deputies again. Let them establish your fundamental rights by a sacrosanct declaration, and let them pass the parts of the constitution you have approved. These will give powers to your federal government sufficient for your happiness.'

"This is what might be said, and would probably produce a speedy, more perfect, and more permanent form of government. At all events, I hope you will not be discouraged from making other trials, if the present one should fail. We are never permitted to despair of the commonwealth. I have thus told you freely what I like, and what I dislike, merely as a matter of curiosity; for I know it is not in my power to offer matter of information to your judgment, which has been formed after hearing and weighing every thing which the wisdom of man could offer on these subjects. I own, I am not a friend to a very energetic government. It is always oppressive. * * * After all, it is my principle that the will of the majority should prevail. If they approve the proposed constitution in all its parts, I shall concur in it cheerfully, in hopes they will amend it, whenever they shall find it wrong. This reliance cannot deceive us, as long as we remain virtuous; and I think we shall be so, as long as agriculture is our principal object, which will be the case, while there remain vacant lands in any part of America. When we get piled upon one another in large cities, as in Europe, we shall become corrupt as in Europe, and go to eating one another as they do there."

With the mass of good which it contained, Mr. Jefferson found, on a careful scrutiny, such a mixture of evil in the new Constitution, that he was in doubt what course to recommend his countrymen. How the good should be secured, and the ill avoided, was the great question, and presented great difficulties. To refer it back to a new Convention, might jeopardize the whole, which was utterly inadmissible. His first advice, therefore, was that the nine States first acting upon it, should accept unconditionally, and thus secure whatever in it was wise and beneficial; and that the four States last acting, should accept only on the previous condition, that certain amendments should be made. But he afterwards re-

commended the more prudent course of unconditional acceptance by the whole, with a concomitant declaration, that it should stand as a perpetual instruction to their respective delegates, to endeavor to obtain such and such reformatations. And this was the course finally adopted by a majority of the States.

Much as has been said and written of Mr. Jefferson's hostility to the Federal Constitution, there was not a person in America, who set a more solid value on it, even in its original form ; nor one who was impressed with more rational anxieties for its adoption. To estimate the force of his convictions upon this point, and the cogency of his endeavors to instil the same convictions into his countrymen, it is only necessary to consult the pages of his private correspondence. Adoring republicanism, hating monarchy, he discriminated, with the heart of a true American, and with the sagacity of a profound statesman, between those features of the instrument which were congenial, and those which were hostile, to the principles of his political idolatry. While he gave all his soul to the preservation of the former, he deprecated, with equal sincerity, any admixture of the latter, neither approving nor condemning in the mass. He was, therefore, neither a federalist nor an anti-federalist, as the advocates and opponents of the Constitution were distinguished. He was a fearless and independent asserter of his opinions on questions of national concernment, the most profound and interesting that had ever been submitted to the deliberation of the American people ; and he had the happiness to see those opinions, on almost every point, very soon adopted by the nation, and incorporated into its frame of government, by special amendatory acts. A few passages from his correspondence will evince his anxiety for the fate of the Constitution, and his perseverance in the endeavor to obtain the amendments which he deemed so essential.

TO WILLIAM CARMICHAEL.—“The conduct of Massachusetts has been noble. She accepted the Constitution, but voted that it should stand as a perpetual instruction to her Delegates, to endeavor to obtain such and such reformatations ; and the minority, though very strong both in numbers and abilities, declared *viritim* and *seriatim*, that acknowledging the principle that the majority must give the law, they would now support the new Constitution with their tongues, and with their blood, if necessary. I was much pleased with many and essential parts of this instrument, from the beginning. But I thought I saw in it many faults, great and small,

What I have read and reflected, has brought me over from several of my objections, of the first moment, and to acquiesce under some others. Two only remain, of essential consideration, to wit, the want of a bill of rights, and the expunging the principle of necessary rotation in the offices of President and Senator. * * If the States which were to decide after her, should all do the same, it is impossible but they must obtain the essential amendments. It will be more difficult, if we lose this instrument, to recover what is good in it, than to correct what is bad, after we shall have adopted it. It has, therefore, my hearty prayers, and I wait with anxiety for news of the votes of Maryland, South Carolina, and Virginia."

TO E. RUTLEDGE.—"I congratulate you on the accession of your State to the new federal constitution. This is the last I have yet heard of, but I expect daily to hear that my own has followed the good example; and suppose it is already established. Our government wanted bracing. Still we must take care not to run from one extreme to another; not to brace too high. I own, I join those in opinion, who think a bill of rights necessary. I apprehend too, that the total abandonment of the principle of rotation in the offices of President and Senator, will end in abuse. But my confidence is, that there will, for a long time, be virtue and good sense enough in our countrymen, to correct abuses. We can surely boast of having set the world a beautiful example of a government reformed by reason alone, without bloodshed. But the world is too far oppressed to profit by the example. On this side of the Atlantic, the blood of the people has become an inheritance, and those who fatten on it, will not relinquish it easily."

TO JAMES MADISON.—"I sincerely rejoice at the acceptance of our new constitution by nine States. It is a good canvass, on which some strokes only want retouching. What these are, I think are sufficiently manifested by the general voice from north to south, which calls for a bill of rights. It seems pretty generally understood, that this should go to juries, *habeas corpus*, standing armies, printing, religion, and monopolies. I conceive there may be difficulty in finding general modifications of these, suited to the habits of all the States. But if such cannot be found, then it is better to establish trials by jury, the right of *habeas corpus*, freedom of the press, and freedom of religion, in all cases, and to abolish standing armies in time of peace, and monopolies in all cases, than not to do it in any. The few cases wherein these things may do evil, cannot be weighed against the multitude, wherein the want of them will do evil."

TO G. WASHINGTON.—"I have seen, with infinite pleasure, our new constitution accepted by eleven States, not rejected by the twelfth; and that the thirteenth happens to be a State of the least

importance. It is true, that the minorities in most of the accepting States have been very respectable; so much so, as to render it prudent, were it not otherwise reasonable, to make some sacrifice to them. I am in hopes, that the annexation of a bill of rights to the constitution will alone draw over so great a proportion of the minorities, as to leave little danger in the opposition of the residue; and that this annexation may be made by Congress and the Assemblies, without calling a convention, which might endanger the most valuable parts of the system."

To F. HOPKINSON.—"You say that I have been dished up to you as an anti-federalist, and ask me if it be just. My opinion was never worthy enough of notice, to merit citing; but since you ask it, I will tell it to you. I am not a federalist, because I never submitted the whole system of my opinions to the creed of any party of men whatever, in religion, in philosophy, in politics, or in any thing else, where I was capable of thinking for myself. Such an addiction is the last degradation of a free and moral agent. If I could not go to heaven but with a party, I would not go there at all. Therefore, I protest to you, I am not of the party of federalists. But I am much farther from that of the anti-federalists. I approved, from the first moment, of the great mass of what is in the new constitution; the consolidation of the government; the organization into executive, legislative, and judiciary; the subdivisions of the legislative: the happy compromise of interests between the great and little States, by the different manner of voting in the different Houses; the voting by persons instead of States; the qualified negative on laws given to the executive, which, however, I should have liked better if associated with the judiciary also, as in New-York; and the power of taxation. * * *

"These, my dear friend, are my sentiments, by which you will see I was right in saying, I am neither federalist nor anti-federalist; that I am of neither party, nor yet a trimmer between parties. These, my opinions, I wrote, within a few hours after I had read the constitution, to one or two friends in America. I had not then read one single word printed on the subject. I never had an opinion in politics or religion, which I was afraid to own. A costive reserve on these subjects might have procured me more esteem from some people, but less from myself. My great wish is, to go on in a strict, but silent performance of my duty: to avoid attracting notice, and to keep my name out of newspapers, because I find the pain of a little censure, even when it is unfounded, is more acute than the pleasure of much praise."

To Col. HUMPHREYS.—"The operations which have taken place in America lately, fill me with pleasure. In the first place, they realize the confidence I had, that, whenever our affairs go obviously wrong, the good sense of the people will interpose, and set

them to rights. The example of changing a constitution, by assembling the wise men of the State, instead of assembling armies, will be worth as much to the world as the former examples we had given them. The constitution, too, which was the result of our deliberations, is unquestionably the wisest ever yet presented to man, and some of the accommodations of interest which it has adopted, are greatly pleasing to me, who have before had occasions of seeing how difficult those interests were to accommodate. A general concurrence of opinion seems to authorize us to say it has some defects. I am one of those who think it a defect, that the important rights, not placed in security by the frame of the constitution itself, were not explicitly secured by a supplementary declaration. There are rights which it is useless to surrender to the government, and which governments have yet always been fond to invade. These are the rights of thinking, and publishing our thoughts by speaking or writing; the right of free commerce; the right of personal freedom. There are instruments for administering the government so peculiarly trust-worthy, that we should never leave the legislature at liberty to change them. The new constitution has secured these in the executive and legislative departments; but not in the judiciary. It should have established trials by the people themselves, that is to say, by jury. There are instruments so dangerous to the rights of the nation, and which place them so totally at the mercy of their governors, that those governors, whether legislative or executive, should be restrained from keeping such instruments on foot, but in well defined cases. Such an instrument is a standing army. We are now allowed to say, such a declaration of rights, as a supplement to the constitution, where that is silent, is wanting, to secure us in these points. The general voice has legitimated this objection. It has not, however, authorized me to consider as a real defect, what I thought, and still think one, the perpetual re-eligibility of the President. But three States out of eleven having declared against this, we must suppose we are wrong, according to the fundamental law of every society, the *lex majoris partis*, to which we are bound to submit. And should the majority change their opinion, and become sensible that this trait in their constitution is wrong, I would wish it to remain uncorrected, as long as we can avail ourselves of the services of our great leader, whose talents and whose weight of character, I consider as peculiarly necessary to get the government so under way, as that it may afterwards be carried on by subordinate characters."

The ardor and perseverance of Mr. Jefferson in the effort to obtain a supplementary Bill of Rights to the Constitution, were soon crowned with success. At the session of 1789, Mr. Madison submitted to Congress a series of amendments, which, with various propositions on the same subject from other States, were referred

to a committee of one from each State in the Union. The result was the annexation, in due form, of the ten original amendments to our Federal Constitution. So great was the influence of Mr. Jefferson in forwarding this measure, though absent during the whole time, that he is universally regarded as the father of these amendments. They embraced the principal objections urged by him, without going far enough to satisfy him entirely. By them, the freedom of religion, of speech, and of the press, the right of the people to deliberate and petition for redress of grievances, the right of keeping and bearing arms, of the trial by jury in civil as well as criminal cases, the exemption from general warrants, and from the quartering of soldiers in private dwellings, were pronounced irrevocable and intangible by the government; and the powers not delegated by the Constitution, nor prohibited by it to the States, were declared to be reserved to the States or to the people. But the right of *habeas corpus* was still left to the discretion of Congress; monopolies were not positively guarded against; and standing armies in time of peace were not prohibited. His objections, also, against the perpetual re-eligibility of the President, although backed by the recommendation of three States, were not sanctioned by Congress. His fears of that feature were founded on the importance of the office, on the fierce contentions it might excite among ourselves, if continuable for life, and the dangers of interference, either with money or arms, by foreign nations, to whom the choice of an American President might become interesting. Examples of this abounded in history; in the case of the Roman Emperors, for instance; of the Popes, while of any significance; of the German Emperors; the Kings of Poland, and the Deys of Barbary. But his apprehensions on this head gradually subsided, and finally became entirely removed, on witnessing the effect in practice. Alluding to his early opinions on this subject, he said in 1821:

“My wish was, that the President should be elected for seven years, and be ineligible afterwards. This term I thought sufficient to enable him, with the concurrence of the Legislature, to carry through and establish any system of improvement he should propose for the general good. But the practice adopted, I think, is better, allowing his continuance for eight years, with a liability to be dropped at half way of the term, making that a period of probation. * * * The example of four Presidents, voluntarily retiring at the end of their eighth year, and the progress of public opin-

ion, that the principle is salutary, have given it in practice the force of precedent and usage ; insomuch, that should a President consent to be a candidate for a third election, I trust he would be rejected, on this demonstration of ambitious views."

There was another question agitated in the Councils of the United States, during Mr. Jefferson's residence in France, which he viewed with as much concern as the adoption of the Constitution. This was the proposition to abandon the navigation of the Mississippi to the King of Spain, for the period of twenty-five or thirty years, as an equivalent for a treaty of commerce with that nation. John Jay, Secretary of foreign affairs, who had been authorized to institute a negotiation with the Spanish government, laid the proposition before Congress, as a secret. The whole affair was veiled in midnight darkness, and so continued until the year 1818, when a resolution was passed authorizing the publication of the secret journals of the old Congress.

The proposition of Mr. Jay created an angry excitement in Congress. The scheme was resisted, with greath warmth, by the States of Virginia, North Carolina, South Carolina, Maryland and Georgia, on the following grounds : 1. It would dismember the Union. 2. It would violate the compact of the national government with those States, who had surrendered to it their western lands. 3. It would check the growth of the western country by depriving the inhabitants of a natural outlet for their productions. 4. It would depreciate the value of the western lands, and sink proportionally a valuable fund for the payment of the national debt. 5. It would be such a sacrifice for particular purposes, as would be obvious to the most undiscerning.

The proposition was sustained by all the New England States, with New York, New Jersey, and Pennsylvania. These States moved in solid phalanx, and in mysterious silence, against every attempt to defeat, alter, or amend the proposed terms of negotiation. The opposition were in despair, when it occurred to them, that as the assent of nine States was necessary by the Confederation to form treaties, the instructions given to Mr. Jay were unconstitutional, inasmuch as seven States only had voted them. A resolution was, therefore, introduced declaring the original vote which had been taken, incompetent to confer treaty making powers. But the resolution was negatived by the same States, in the same mysteri-

ous silence. A resolution was then offered, to remove the injunction of secrecy, which shared the same fate. Finally, after a heated and protracted altercation, the minority succeeded so far as to obtain the authority to treat for an entrepot at New Orleans, and for the navigation of the Mississippi in common with Spain, down to the Floridas.

A hint of these transactions having reached the ears of Mr. Jefferson, in Paris, he was exercised with the greatest inquietude and alarm. He considered the abandonment of the navigation of the Mississippi, as, ipso facto, a dismemberment of the Union; and he improved every occasion, in his letters to America, to impress on the leading members of the government, the ungrateful character and suicidal tendency of the measure. A single specimen, found in a letter to Mr. Madison, dated January 30, '87, will suffice to display the general tenor of an active and extensive correspondence, for several months, on this vitally interesting question.

"If these transactions [insurrections] give me no uneasiness. I feel very differently at another piece of intelligence, to wit, the possibility that the navigation of the Mississippi may be abandoned to Spain. I never had any interest westward of the Allegany; and I never will have any. But I have had great opportunities of knowing the character of the people who inhabit that country; and I will venture to say, that the act which abandons the navigation of the Mississippi, is an act of separation between the eastern and western country. It is a relinquishment of five parts out of eight of the territory of the United States; an abandonment of the fairest subject for the payment of our public debts, and the chaining those debts on our own necks, *in perpetuum*. I have the utmost confidence in the honest intentions of those who concur in this measure; but I lament their want of acquaintance with the character and physical advantages of the people, who, right or wrong, will suppose their interests sacrificed on this occasion to the contrary interests of that part of the confederacy in possession of present power. If they declare themselves a separate people, we are incapable of a single effort to retain them. Our citizens can never be induced, either as militia or as soldiers, to go there to cut the throats of their own brothers and sons, or rather, to be themselves the subjects, instead of the perpetrators, of the parricide. Nor would that country quit the cost of being retained against the will of its inhabitants, could it be done. But it cannot be done. They are able already to rescue the navigation of the Mississippi out of the hands of Spain, and to add New Orleans to their own territory. They will be joined by the inhabitants of Louisiana. This will

bring on a war between them and Spain; and that will produce the question with us, whether it will not be worth our while to become parties with them in the war, in order to re-unite them with us, and thus correct our error. And were I to permit my forebodings to go one step further, I should predict, that the inhabitants of the United States would force their rulers to take the affirmative of that question. I wish I may be mistaken in all these opinions."

The right of the United States to the free navigation of the Mississippi, in its whole extent, and the establishment of that right upon an immovable basis, was a subject which early engaged the attention of Mr. Jefferson. It was one of those enterprises of vast national utility, which seemed to match his patriotism, and to summon all his powers into action. He persevered in the effort, through a period of fifteen years, in different public stations; and his agency in producing the final result, was scarcely less distinguished, though less direct and efficacious, than in accomplishing the splendid achievement of the acquisition of Louisiana. The question was not definitively settled until 1803, when, being at the head of the nation, he appointed Mr. Monroe minister to Madrid, for the express purpose of concluding a final arrangement with that government, covering all the points at issue growing out of the subject. The mission was as honorable as it was successful.

Mr. Jefferson's watchfulness over the interests of America, while in Europe, exceeds all calculation. Nothing escaped his notice, which he thought could be made useful in his own country. The southern States are indebted to him for the introduction of the culture of upland rice. In 1790, he procured a cask of this species of rice, from the river Denbigh, in Africa, about latitude 9 deg. 30 min. north, which he sent to Charleston, in the hope that it would supersede the culture of the wet rice, which renders South Carolina and Georgia so pestilential through the summer. The quantity was divided at Charleston, and a part sent to Georgia, by his directions. The cultivation of this rice has now become general in the upper parts of Georgia and South Carolina, and is highly prized. It was supposed by Mr. Jefferson, that it might be grown successfully in Tennessee and Kentucky. He also endeavoured to obtain the seed of the Cochin-China rice, for the purpose of introducing its cultivation in the same States; but it does not appear whether he was successful or not. In the same spirit of

unremitting attention to the interests of his infant country, he transmitted from Marseilles to Charleston, a great variety of olive plants, for experimenting their growth in South Carolina and Georgia. "The greatest service," says he, "which can be rendered any country is, to add an useful plant to its culture; especially a bread grain; next in value to bread, is oil." These plants were tried, and are now flourishing at the south; although not yet multiplied extensively, they will be the germ of that invaluable species of cultivation in those States.

All the powers of Mr. Jefferson seemed to kindle in the pursuit of multiplying objects of profitable agriculture in America, and of improving the husbandry of those already established as staples. With this patriotic view, he made a tour into the southern parts of France, and the northern of Italy, in which he passed three months, mingling private gratification with services of the highest public utility. His plan was to visit the ports along the western and southern coast of France, particularly Marseilles, Bordeaux, Nantes, and L'Orient, to obtain such information as would enable him to judge of the practicability of making further improvements in our commerce with the southern provinces of France; to visit the canal of Languedoc, and possess himself of such information in that species of navigation, as might be useful to communicate to his countrymen; and thence to pass into the northern provinces of Italy, to examine minutely the different subjects of culture in those munificent regions, to ascertain what improvements might be made in America, in the culture and husbandry of rice and other staples common to both countries; and, if any, what other productions of that climate, might be advantageously introduced, as articles of domestic growth, into the southern States. Another object with him was, to try the mineral waters of Aix, in Provence, for a dislocated wrist, unsuccessfully set, in pursuance of the advice of his surgeon.

He left Paris, therefore, on the 28th of February, '87, and proceeded up the Seine, through Champagne and Burgundy, and down the Rhone through the Beaujolais, by Lyons, Avignon, Nismes, to Aix. Receiving, on trial, no benefit from the mineral waters of that place, he bent his course into the rice countries of Italy, taking his route by Marseilles, Toulon, Hieres, Nice, across the Col de Tende, by Coni, Turin, Vercelli, Novara, Milan, Pavia, Novi,

Genoa. Thence returning, he passed along the coast, by Savona, Noli, Albenga, Oneglia, Monaco, Nice, Antibes, Frejus, Aix, Marseilles, Avignon, Nismes, Montpellier, Frontignan, Sette, Agde, and along the canal of Languedoc, by Beziers, Narbonne, Carcassonne, Castelnaudari, through the Souterrain of St. Feriol, and back by Castelnaudari, to Toulouse; thence to Montauban, and down the Garonne by Langon, to Bordeaux. Thence to Rochefort, la Rochelle, Nantes, L'Orient; then back by Rennes to Nantes, and up the Loire, by Angers, Tours, Amboise, Blois, to Orleans; thence direct to Paris, where he arrived on the 10th of June. Soon after returning from this journey, he was joined by his younger daughter, Maria, from Virginia, the youngest having died some time before.

Mr. Jefferson was impressed with delightful sensations in traversing the luxurious provinces of Southern France, where the choicest blessings of heaven are spread in profusion before the eye; but his mind assumed a gloomy and contemplative mood, on visiting the storied grounds of Italy, where the richest munificence of nature is blasted by the hand of tyranny, and the ruins of classic grandeur enhance the melancholy contrast, at every step. He travelled incognito, and insinuated himself into every position, from which he might derive a knowledge of the inhabitants, their manners, and modes of living, their implements of husbandry and dairy, their inventions and improvements in these arts, their farms, productions, their wants and superfluities, their means and degree of happiness, and causes of misery. The novelty and variety of the scenes through which he passed, the multitude of curious and interesting objects which he encountered, presented a perpetual feast to his enquiring mind; nor could they fail to impart the most desirable lessons to the philosopher, the philanthropist, and the statesman of unvitiated principles. From Nice, under date of April 19th, he writes to the Marquis de La Fayette:

"I am constantly roving about to see what I have never seen before, and shall never see again. In the great cities, I go to see what travellers think alone worthy of being seen; but I make a job of it, and generally gulp it all down in a day. On the other hand, I am never satiated with rambling through the fields and farms, examining the culture and cultivators with a degree of curiosity, which makes some take me to be a fool, and others to be much wiser than I am. * * * From the first olive fields of

Pierrelatte, to the orangeries of Hieres, has been continued rapture to me. I have often wished for you. I think you have not made this journey. It is a pleasure you have to come, and an improvement to be added to the many you have already made. It will be a great comfort to you, to know, from your own inspection, the condition of all the provinces of your own country, and it will be interesting to them at some future day, to be known to you. This is, perhaps, the only moment of your life, in which you can acquire that knowledge. And to do it most effectually, you must be absolutely *incognito*, you must ferret the people out of their hovels, as I have done, look into their kettles, eat their bread, loll on their beds under pretence of resting yourself, but in fact to find if they are soft. You will feel a sublime pleasure in the course of this investigation, and a sublimer one hereafter, when you shall be able to apply your knowledge to the softening of their beds, or the throwing a morsel of meat into their kettle of vegetables."

From Lyons to Nismes Mr. Jefferson was 'nourished with the remains of Roman grandeur.' He was immersed in antiquities from morning to night. He was transported back to the times of the Cæsars, the intrigues of their courts, the oppressions of their prætors, and prefects. To him the city of Rome seemed actually existing in all the magnificence of its meridian glory; and he was filled with alarm in momentary anticipation of the irruptions of the Goths, Visigoths, Ostrogoths, and Vandals. Under date of Nismes, he writes to the Countess de Tesse, in a mood, which illustrates the extravagance of his passion for ancient architecture:

"Here I am, Madam, gazing whole hours at the *Maison Quarree*, like a lover at his mistress. The stocking-weavers and silk-spinners around it, consider me as a hypochondriac Englishman, about to write with a pistol the last chapter of his history. This is the second time I have been in love since I left Paris. The first was with a Diana at the Chateau de Lay-Epinaye in Beaujolais, a delicious morsel of sculpture, by M. A. Slodtz. This, you will say, was in rule, to fall in love with a female beauty: but with a house! It is out of all precedent. No, Madam, it is not without a precedent, in my own history. While in Paris, I was violently smitten with the Hotel de Salm, and used to go to the Tuileries, almost daily, to look at it. The *louvreuse des chaises*, inattentive to my passion, never had the complaisance to place a chair there, so that, sitting on the parapet, and twisting my neck round to see the object of my admiration, I generally left it with a *torticollis*."

Mr. Jefferson kept a diary of his excursion into Italy, in which he noted, with minuteness, every circumstance, which he thought

might be made useful or instructive to his countrymen. Of these notes, which covered about fifty printed octavo pages, he made copies, on his return, and transmitted them to General Washington and others in America, as containing hints capable of being improved in their minds to the benefit of the United States. His course of observations supplied him with materials for benefiting the commerce of the United States, in some essential particulars, for improving the quality in articles of staple growth, and increasing the subjects of cultivation, in some States. At Turin, Milan, and Genoa, he satisfied himself of the practicability of introducing our whale oil, for their consumption, and that of the other great cities of that country. The merchants with whom he asked conferences, met him freely, and communicated frankly; but not being authorized to conclude a formal negotiation, he could only prepare a general disposition to receive our oil merchants. On the article of tobacco, he was more in the possession of his ground; and put matters into a train for inducing their government to draw their tobacco directly from the United States, and not, as heretofore, from Great Britain. He procured the seeds of three different species of rice, from Piedmont, Lombardy, and the Levant, divided each quantity into three separate parcels, and forwarded them by as many different conveyances, to Charleston, in order to ensure a safe arrival. He questioned the utility of engaging in the cultivation of the vine in the southern States, under the present circumstances of their population. Wines were so cheap in those countries, that a laborer with us, employed in the culture of any other article, might exchange it for wine, more and better than he could raise himself. It might, hereafter, become a profitable resource to us; when the increase of population shall have increased our productions beyond the demand for them at home and abroad. Instead of augmenting the useless surplus of them, the supernumerary hands might then be employed on the vine. The introduction of the fig, the mulberry, and the olive, he strongly recommended to the cultivators in the southern parts of the United States. With the olive tree, in particular, he was so smitten, that he declared it next to the most precious, if not the most precious of all the gifts of heaven to man. He thought, perhaps, it might claim a preference even to bread, considering the infinitude of vegetables, to which it rendered a proper and comfortable nourishment. In a letter to Wil-

liam Drayton, president of the Agricultural Society in South Carolina, written on his return from his excursion, he says :

“ This is an article, the consumption of which will always keep pace with its production. Raise it ; and it begets its own demand. Little is carried to America, because Europe has it not to spare. We therefore have not learned the use of it. But cover the southern States with it, and every man will become a consumer of oil, within whose reach it can be brought, in point of price. If the memory of those persons is held in great respect in South Carolina, who introduced there the culture of rice, a plant which sows life and death, with almost equal hand, what obligations would be due to him who should introduce the olive tree, and set the example of its culture ! Were the owner of slaves to view it only as the means of bettering their condition, how much would he better that, by planting one of those trees for every slave he possessed ! Having been myself an eye-witness to the blessings which this tree sheds on the poor, I never had my wishes so kindled for the introduction of any article of new culture into our own country. South Carolina and Georgia appear to me to be the States, wherein its success, in favorable positions at least, could not be doubted, and I flattered myself, it would come within the views of the society for agriculture, to begin the experiments which are to prove its practicability.”

As in commerce and agriculture, so in the manufacturing interest, Mr. Jefferson was indefatigable in endeavoring to benefit the rivalry of America with the Eastern continent. Of every new invention and discovery in the arts, he was prompt to communicate the earliest intelligence to Congress, or to individual artists and professors. Among these, the most remarkable were, the principle of stereotyping, which he communicated in 1786 ; and the mode of constructing muskets upon the plan of Mr. Whitney, of New-Haven, which he communicated about the same time. It consisted in making all the parts of the musket so exactly alike, as that, mixed together promiscuously, any one part should serve equally for every musket in the magazine. Of those improvements which were claimed as original in Europe, but of which America was entitled to the merit of a prior discovery, his knowledge enabled him to detect the imposition, and his patriotism incited him to vindicate the honor of his own countrymen. This was in fact the case in several instances.

In the sciences and the fine arts, Mr. Jefferson was equally assiduous to advance the reputation of his rising country. His letters to President Stiles, to the president of William and Mary College, to

the president of Harvard University, to Rittenhouse, Charles Thompson, and others, are splendid illustrations of his zeal and efficiency in these pursuits. As a mark of the high estimation in which his literary services in Europe, were held in this country, he received from Harvard University, in 1789, a diploma conferring on him the Doctorate of Laws. In a letter to Dr. Willard, returning his acknowledgments for the honor, he thus concludes: "It is for such institutions as that over which you preside so worthily, Sir, to do justice to our country, its productions, and its genius. It is the work to which the young men, whom you are forming, should lay their hands. We have spent the prime of our lives in procuring them the precious blessing of liberty. Let them spend theirs in showing that it is the great parent of *science* and of virtue; and that a nation will be great in both, always in proportion as it is free. Nobody wishes more warmly for the success of your good exhortations on this subject, than he who has the honor to be, with sentiments of great esteem and respect, Sir, your most obedient, humble servant."

Their advances in science, and in the arts of sculpture, painting and music, were the only things, he declared, for which he envied the people of France; and for these he absolutely did envy them. His passion for the few remains of ancient architecture which existed, was unbounded; and his efforts unremitting, for introducing samples of them in America, for the purpose of encouraging a style of architecture analogous to the Roman model. In June, 1785, he received a request from the Directors of the public buildings in Virginia, to procure and transmit them plans for the capitol, palace, &c. He immediately engaged an architect of capital abilities, for this purpose, and directed him to take for his model the *Maison Quarree* of Nismes, which he considered 'the most precious and perfect morsel of antiquity in existence.' But what was his surprise and regret on learning, a short time after, that the buildings were actually begun, without waiting for the receipt of his plans. 'Pray try, he writes to Mr. Madison, if you can effect the stopping of this work. The loss is not to be weighed against the saving of money which will arise, against the comfort of laying out the public money for something honorable, the satisfaction of seeing an object and proof of national good taste, and the regret and mortification of erecting a monument of our barbarism, which will be loaded with exe-

crations as long as it shall endure. You see I am an enthusiast on the subject of the arts. But it is an enthusiasm of which I am not ashamed, as its object is to improve the taste of my countrymen, to increase their reputation, to reconcile to them the respect of the world, and procure them its praise.'

How thoroughly and wonderfully American was the heart of Mr. Jefferson. The specimens we have given exhibit but a slender outline of a series of correspondence, public and private, comprising more than three hundred letters, chiefly to his friends in the United States, all breathing the same unslumbering devotion to the interests of his country, in every imaginable department, from the most intricate points of abstract science, and the most momentous questions of national policy, down to ingenious essays on the most simple processes in agriculture and housewifery. He was, at the same time, in habits of correspondence with many distinguished characters, literary and political, in most of the nations of Europe. His philosophical reputation and powers established him in ready favor with the constellation of bold thinkers, which then illuminated France; and much of his attention was necessarily, perhaps advantageously, occupied in the metaphysical discussions of the day. He was on terms of intimacy with the Abbe Morellet, Condorcet, D'Alembert, Mirabeau, &c.; and he renewed his discussion, in natural science, with Mons. de Buffon, to whom he had already given such a foretaste of his abilities, in his Notes on Virginia. The ladies of that gay capital, who maintain so powerful an ascendancy in all its circles, delighted in his society, and impressed him into their correspondence. His letters to some of them, which have been lately published, are masterpieces of imaginative composition.* At the solicitation of the authors of the *Encyclopedie Methodique*, the most popular work then publishing in Paris, Mr. Jefferson prepared for insertion several articles on the United States, giving a history of the government of the Confederation, from its origin to the adoption of the Constitution. One of the authors of that work had made the society of the Cincinnati, the subject of a libel on our government, and its great military leader. But before committing it to the press, he submitted it to Mr. Jefferson, for examination. He found it a tissue of errors, a mere phil-

* See Appendix, Note C.

ipic against the institution, in which there appeared an utter ignorance of facts and motives. He wrote over the whole article ; in doing which he vindicated the motives of General Washington, and his brother officers, from every liability to reproach. His own opinions, however, of the ultimate effects of that institution, underwent such a change, during his residence in Europe, as induced him to recommend its total extinction. In a letter to General Washington, dated Paris, November 14, 1786, he thus writes :

“What has heretofore passed between us on this institution, makes it my duty to mention to you, that I have never heard a person in Europe, learned or unlearned, express his thoughts on this institution, who did not consider it as dishonorable and destructive to our governments ; and that every writing which has come out since my arrival here, in which it is mentioned, considers it, even as now reformed, as the germ whose development is one day to destroy the fabric we have reared. I did not apprehend this, while I had American ideas only. But I confess that what I have seen in Europe, has brought me over to that opinion ; and that though the day may be at some distance, beyond the reach of our lives perhaps, yet it will certainly come, when a single fibre left of this institution will produce an hereditary aristocracy, which will change the form of our governments from the best to the worst in the world. To know the mass of evil which flows from this fatal source, a person must be in France ; he must see the finest soil, the finest climate, the most compact state, the most benevolent character of people, and every earthly advantage combined, insufficient to prevent this scourge from rendering existence a curse to twenty-four out of twenty-five parts of the inhabitants of this country. With us, the branches of this institution cover all the States. The southern ones, at this time, are aristocratical in their dispositions : and that that spirit should grow and extend itself, is within the natural order of things. I do not flatter myself with the immortality of our governments : but I shall think little also of their longevity, unless this germ of destruction be taken out. When the society themselves shall weigh the possibility of evil, against the impossibility of any good to proceed from this institution, I cannot help hoping they will eradicate it. I know they wish the permanence of our governments, as much as any individuals composing them.”

Such are some of the extraordinary and diversified services performed by Mr. Jefferson in his private, unofficial capacity. The circumstance ought not to be overlooked, that these attentions to the general interests of the United States, were exercised amidst the labors and anxieties of a multiplicity of public avocations. His diplomatic correspondence with the Count de Vergennes, the most

subtle and powerful Minister in all Europe, was almost daily, and in point of spirit and urgency in behalf of America, clearly unrivalled. His correspondence with the bankers of the United States, at Amsterdam and Paris, to preserve the credit of the United States, was constant, and laborious; and his exertions for the redemption of American captives at Algiers, for establishing a general coalition of all the civilized Powers against the piratical States, and, on failure of that, for negotiating treaties of peace with them, on the most favorable terms, are unprecedented in the history of diplomatic affairs.

But of all the private labors of Mr. Jefferson, in behalf of his country, none were more useful, none more praiseworthy and patriotic, than those which were directed to the moral improvement of the rising generation. It was to them he looked, and not to those then on the stage, for the perfection of the glorious political work which he had exhausted every resource, and sacrificed every comfort, in advancing; and his ambition appeared insatiable to fashion their minds, their habits, their tastes and principles, after the model of the incorruptible generation of '76. His letters addressed to several young men of Virginia, in whose studies and future pursuits he felt a particular interest, are among the most valuable parts of his private correspondence. The following, addressed to Peter Carr, will suffice as a specimen.

"I received by Mr. Mazzei, your letter of April the 20th. I am much mortified to hear that you have lost so much time; and that when you arrived in Williamsburgh, you were not at all advanced from what you were when you left Monticello. Time now begins to be precious to you. Every day you lose, will retard a day your entrance on that public stage whereon you may begin to be useful to yourself. However, the way to repair the loss is to improve the future time. I trust, that with your dispositions, even the acquisition of science is a pleasing employment. I can assure you, that the possession of it is, what (next to an honest heart) will above all things render you dear to your friends, and give you fame and promotion in your own country. When your mind shall be well improved with science, nothing will be necessary to place you in the highest point of view, but to pursue the interests of your country, the interests of your friends, and your own interests also, with the purest integrity, the most chaste honor. The defect of these virtues can never be made up by all the other acquirements of body and mind. Make these then your first object. Give up money, give up fame, give up science, give the earth itself and all it contains, rather than

do an immoral act. And never suppose, that in any possible situation, or under any circumstances, it is best for you to do a dishonorable thing, however slightly so it may appear to you. Whenever you are to do a thing, though it can never be known but to yourself, ask yourself how you would act were all the world looking at you, and act accordingly. Encourage all your virtuous dispositions, and exercise them whenever an opportunity arises; being assured that they will gain strength by exercise, as a limb of the body does, and that exercise will make them habitual. From the practice of the purest virtue, you may be assured you will derive the most sublime comforts in every moment of life, and in the moment of death. If ever you find yourself environed with difficulties and perplexing circumstances, out of which you are at a loss how to extricate yourself, do what is right, and be assured that that will extricate you the best out of the worst situations. Though you cannot see, when you take one step, what will be the next, yet follow truth, justice, and plain dealing, and never fear their leading you out of the labyrinth, in the easiest manner possible. The knot which you thought a Gordian one, will untie itself before you. Nothing is so mistaken as the supposition, that a person is to extricate himself from a difficulty by intrigue, by chicanery, by dissimulation, by trimming, by an untruth, by an injustice. This increases the difficulties ten fold; and those who pursue these methods, get themselves so involved at length, that they can turn no way but their infamy becomes more exposed. It is of great importance to set a resolution, not to be shaken, never to tell an untruth. There is no vice so mean, so pitiful, so contemptible; and he who permits himself to tell a lie once, finds it much easier to do it a second and third time, till at length it becomes habitual; he tells lies without attending to it, and truths without the world's believing him. This falsehood of the tongue leads to that of the heart, and in time depraves all its good dispositions.

“An honest heart being the first blessing, a knowing head is the second. It is time for you now to begin to be choice in your reading, to begin to pursue a regular course in it, and not to suffer yourself to be turned to the right or left by reading any thing out of that course. I have long ago digested a plan for you, suited to the circumstances in which you will be placed. This I will detail to you, from time to time, as you advance. For the present, I advise you to begin a course of ancient history, reading every thing in the original and not in translations. First read Goldsmith's History of Greece. This will give you a digested view of that field. Then take up ancient history in the detail, reading the following books in the following order: Herodotus, Thucydides, Xenophontis Hellenica, Xenophontis Anabasis, Arrian, Quintus Curtius, Diodorus Siculus, Justin. This shall form the first stage of your historical reading, and is all I need mention to you now. The next, will be of

Roman history. From that we will come down to modern history. In Greek and Latin poetry, you have read or will read at school, Virgil, Terence, Horace, Anacreon, Theocritus, Homer, Euripides, Sophocles. Read also Milton's *Paradise Lost*, Shakspeare, Ossian, Pope's and Swift's works, in order to form your style in your own language. In morality, read Epictetus, Xenophontis *Memorabilia*, Plato's Socratic dialogues, Cicero's philosophies, Antoninus, and Seneca. In order to assure a certain progress in this reading, consider what hours you have free from the school and the exercises of the school. Give about two of them every day to exercise; for health must not be sacrificed to learning. A strong body makes the mind strong. As to the species of exercise, I advise the gun. While this gives a moderate exercise to the body, it gives boldness, enterprise and independence to the mind. Games played with the ball, and others of that nature, are too violent for the body, and stamp no character on the mind. Let your gun, therefore, be the constant companion of your walks. Never think of taking a book with you. The object of walking is to relax the mind. You should, therefore, not permit yourself even to think while you walk; but divert your attention by the objects surrounding you. Walking is the best possible exercise. Habituate yourself to walk very far. The Europeans value themselves on having subdued the horse to the uses of man; but I doubt whether we have not lost more than we have gained, by the use of this animal. No one has occasioned so much the degeneracy of the human body. An Indian goes on foot nearly as far in a day, for a long journey, as an enfeebled white does on his horse; and he will tire the best horses. There is no habit you will value so much as that of walking far without fatigue. I would advise you to take your exercise in the afternoon; not because it is the best time for exercise, for certainly it is not; but because it is the best time to spare from your studies; and habit will soon reconcile it to health, and render it nearly as useful as if you gave to that the more precious hours of the day. A little walk of half an hour in the morning, when you first rise, is advisable also. It shakes off sleep, and produces other good effects in the animal economy. Rise at a fixed and an early hour, and go to bed at a fixed and early hour also. Sitting up late at night is injurious to the health, and not useful to the mind. Having ascribed proper hours to exercise, divide what remain (I mean of your vacant hours) into three portions. Give the principal to History, the other two, which should be shorter, to Philosophy and Poetry. Write to me every month or two, and let me know the progress you make. Tell me in what manner you employ every hour in the day. The plan I have proposed for you is adapted to your present situation only. When that is changed, I shall propose a corresponding change of plan. * * * You are now, I expect, learning French. You must push this; because the books which will be put into your

hands when you advance into Mathematics, Natural Philosophy, Natural History, &c., will be mostly French ; these sciences being better treated by the French than the English writers. Our future connection with Spain renders that the most necessary of the modern languages, after the French. When you become a public man, you may have occasion for it, and the circumstance of your possessing that language may give you a preference over other candidates. I have nothing further to add for the present, but husband well your time, cherish your instructors, strive to make every body your friend ; and be assured that nothing will be so pleasing, as your success, to, dear Peter, yours affectionately."

It was Mr. Jefferson's fortune to be an eye-witness of the opening scenes of that tremendous Revolution, which began so gloriously, and ended so fatally for France. The immediate and exciting cause of this ill-fated struggle for political reformation, he ascribes to the influence of the American example, and American ideas. In his notes on that interesting event, he says :

"The American Revolution seems first to have awakened the thinking part of the French nation, in general, from the sleep of despotism into which they were sunk. The officers, too, who had been to America, were mostly young men, less shackled by habit and prejudice, and more ready to assent to the suggestions of common sense, and feeling of common rights, than others. They came back to France with new ideas and impressions. The press, notwithstanding its shackles, began to disseminate them ; conversation assumed new freedoms ; politics became the theme of all societies, male and female ; and a very extensive and zealous party was formed, which acquired the appellation of the Patriotic party, who, sensible of the abusive government under which they lived, sighed for occasions for reforming it. This party comprehended all the honesty of the kingdom, sufficiently at leisure to think, the men of letters, the easy *Bourgeois*, the young nobility, partly from reflection, partly from mode ; for these sentiments became matter of mode, and, as such, united most of the young women to the party."

The part sustained by Mr. Jefferson in the early stages of the French Revolution, was of a weighty and prominent character. It has not yet been incorporated into written history, but the late revelation of his cabinet to the world, will soon place it there, when it will constitute one of the most interesting features of his posthumous reputation.

Possessing the confidence and intimacy of the leading patriots, and more than all, of the Marquis de La Fayette, their head and

Atlas, he was consulted by them, at every step, on all measures of importance ; and the prudence and prophetic wisdom of his counsels, which were implicitly followed while they could have the benefit of them, retarded the moment of convulsion and civil war, until after his withdrawal from the scene of action.* Being from a country which had successfully passed through a similar struggle, his acquaintance was eagerly sought by them, and his opinions carried with them an authority almost oracular. In attempting the redress of present grievances, he recommended a mild and gradual reformation of abuses, one after another, at suitable intervals, so as not to revolt the conciliatory dispositions of the King ; and in providing against their recurrence in future, by remodeling the principles of the government, he recommended cautious approaches to republicanism, to give time for the growth of public opinion, and work a peaceable regeneration of the political system, by slow and successive improvements, through a series of years. The interest which he felt in the passing revolution, and his anxiety for the final result, were inconceivably great. He considered a successful reformation of government in France, as insuring a general reformation through Europe, and the resurrection to a new life of their people, now ground to dust by the oppressions of the constituted powers. He went daily from Paris to Versailles, to attend the debates of the States General, and continued there generally, until the hour of adjournment. This Assembly had been convened, as a mediatorial power between the government and the nation ; and it was well understood, that the King would now concede, 1, Freedom of the person by *habeas corpus* ; 2, Freedom of conscience ; 3, Freedom of the press ; 4, Trial by jury ; 5, A representative legislature ; 6, Annual meetings ; 7, The origination of laws ; 8, The exclusive right of taxation and appropriation ; and 9, The responsibility of ministers. Mr. Jefferson urged, most strenuously, an immediate compromise, upon the basis of these concessions ; and their instant adjournment for a year. They came from the very heart of the King, who had not a wish but for the good of the nation ; and these improvements, if accepted and carried into effect, he had no doubt would be maintained during the present reign, which would be long enough for them to take some root in the constitution, and be consolidated by time and the attachment of the nation. The following letter, addressed to one of the leaders

of the States General, conveys his advice, in an emphatic manner, accompanied by a Charter of Rights, prepared by himself on the basis of the King's propositions :

“ After you quitted us yesterday evening, we continued our conversation (Monsieur de la Fayette, Mr. Short, and myself) on the subject of the difficulties which environ you. The desirable object being to secure the good which the King has offered, and to avoid the ill which seems to threaten, an idea was suggested, which appearing to make an impression on Monsieur de La Fayette, I was encouraged to pursue it on my return to Paris, to put it into form, and now to send it to you and him. Is it this ; that the King, in a *seance royale*, should come forward with a Charter of Rights in his hand, to be signed by himself and by every member of the three orders. This charter to contain the five great points which the *Resultat* of December offered on the part of the King ; the abolition of pecuniary privileges offered by the privileged orders, and the adoption of the national debt, and a grant of the sum of money asked from the nation. This last will be a cheap price for the preceding articles ; and let the same act declare your immediate separation till the next anniversary meeting. You will carry back to your constituents more good than ever was effected before without violence, and you will stop exactly at the point where violence would otherwise begin. Time will be gained, the public mind will continue to ripen and to be informed, a basis of support may be prepared with the people themselves, and expedients occur for gaining still something further at your next meeting, and for stopping again at the point of force. I have ventured to send yourself and Monsieur de La Fayette a sketch of my ideas of what this act might contain, without endangering any dispute. But it is offered merely as a canvass for you to work on, if it be fit to work on at all. I know too little of the subject, and you know too much of it, to justify me in offering any thing but a hint. I have done it, too, in a hurry : insomuch, that since committing it to writing, it occurs to me that the fifth article may give alarm ; that it is in a good degree included in the fourth, and is, therefore, useless. But after all, what excuse can I make, Sir, for this presumption. I have none but an unmeasurable love for your nation, and a painful anxiety lest despotism, after an unaccepted offer to bind its own hands, should seize you again with tenfold fury.”

The Charter of Rights accompanying the above letter was a judicious compromise between republicanism and monarchy. It was to have been signed by the King, and every member of the Assembly, individually, in his presence. The rights which it contemplated, embraced the ultimate point, in the opinion of Mr. Jefferson, to which the patriots could go in safety, without producing

violence ; and with the possession of these powers, he most eagerly and eloquently contended they could obtain, in future, whatever might be further necessary to improve their constitution, and perfect their freedom and happiness. "They thought otherwise, however," says he, "and events have proved their lamentable error. For, after thirty years of war, foreign and domestic, the loss of millions of lives, the prostration of private happiness, and the foreign subjugation of their own country for a time, they have obtained no more, nor even that securely. They were unconscious of (for who could foresee ?) the melancholy sequel of their well-meant perseverance ; that their physical force would be usurped by a first tyrant to trample on the independence, and even the existence, of other nations ; that this would afford a fatal example for the atrocious conspiracy of Kings against their people ; would generate their unholy and homicide alliance to make common cause among themselves, and to crush, by the power of the whole, the efforts of any part, to moderate their abuses and oppressions."

In the evening of August 4th, on motion of the Viscount de Noailles, brother-in-law of La Fayette, the Assembly abolished all titles of rank, all the abusive privileges of feudalism, the tythes and casuals of the clergy, all provincial privileges, and, in fine, the feudal regimen generally. Many days were employed in putting into the form of laws, the numerous revocations of abuses ; after which, they proceeded to the preliminary work of a Declaration of Rights. An instrument of this kind had been prepared by Mr. Jefferson and La Fayette, and submitted to the Assembly by the latter, on the 11th of July ; but the sudden occurrence of acts of violence, had suspended all proceedings upon it. There being much concord of opinion on the elements of this instrument, it was liberally framed, and passed with a very general approbation. They then appointed a committee to prepare a *projet* of a Constitution ; at the head of which was the archbishop of Bordeaux. From him, in the name of the committee, Mr. Jefferson received a letter, requesting him to attend and assist at their deliberations. But he excused himself, on the obvious considerations, that his mission was to the King, as Chief Magistrate of the nation, that his duties were limited to the concerns of his own country, and forbade his intermeddling with the internal transactions of France, where he had been received under a specific character only.

The plan of the Constitution was discussed in sections, and so reported from time to time, as agreed to by the committee. The principles of the general frame of the government, proposing the division of its powers into three departments, executive, legislative, and judiciary, were accepted with great unanimity. But when they proceeded to subordinate developments, many and various shades of opinion came into conflict, and broke the patriots into fragments of very discordant principles. The questions, Whether the king should have a negative on the laws? whether that negative should be absolute, or suspensive only? whether there should be two chambers of legislation, or one only? if two, should one of them be hereditary? or for life? or for a fixed term only? whether named by the king, [or elected by the people? These questions encountered strong differences of opinion, and produced repulsive combinations among the patriots. The aristocracy were cemented by a common principle of preserving the ancient *regime*, or whatever should be nearest to it. Making this their polar star, they moved in phalanx, gave preponderance to the minorities of the patriots, and always to those who advocated the least change.

In this critical state of things, Mr. Jefferson received a note from the Marquis La Fayette, informing him that he should bring a party of six or eight friends, to ask a dinner of him the next day. He assured him of their welcome. When they came, there were La Fayette himself and seven others, leaders of the different fragments of the reform party, but honest men, and sensible of the necessity of effecting a coalition by mutual sacrifices. Their object in soliciting this conference, was to avail themselves of the counsel and mediation of the American minister, to effect a reconciliation upon the terms which he should decide. The discussions began at the hour of four, and were continued till ten o'clock in the evening; during which Mr. Jefferson was witness to a 'coolness and candor of argument unusual in political conflicts, to a logical reasoning, and a chaste eloquence, disfigured by no gaudy tinsel of rhetoric or declamation, which he thought worthy of being placed in parallel with the finest dialogues of antiquity, as handed to us by Xenophen, by Plato, and Cicero.'

The result of this conference decided the fate of the French Constitution. It was mutually agreed, on the advice of Mr. Jefferson, that the King should have a suspensive veto on the laws;

that the Legislature should be composed of a single body only ; and that it should be chosen by the people. This *concordat* united the patriots on a common ground. They all rallied to the principles thus settled, carried every question agreeably to them, and reduced the aristocracy to impotence and insignificance.

But duties of exculpation were now incumbent upon Mr. Jefferson. He waited the next morning on Count Montmorin, Minister of foreign affairs, and explained to him, with truth and candor, how it happened that his house had been made the scene of conferences of such a character. Montmorin told him he already knew every thing which had passed ; that so far from taking umbrage at his conduct on that occasion, he earnestly wished he would habitually assist at such conferences, being satisfied he would be useful in moderating the warmer spirits, and promoting a wholesome and practicable reformation only. Mr. Jefferson told him he knew too well the duties he owed to the King, to the nation, and to his own country, to take any part in the transactions of their internal government ; and that he should persevere, with care, in the character of a neutral and passive spectator, with wishes only, and very sincere ones, that those measures might prevail, which would be for the greatest good of the nation. " I have no doubt, indeed," says Mr. Jefferson, " that this conference was previously known and approved by this honest minister, who was in confidence and communication with the patriots, and wished for a reasonable reformation of the constitution."

At this auspicious stage of the French Revolution, Mr. Jefferson retired from the scene of action ; and the wisdom and moderation of his counsels ceased with the opportunities of imparting them. He left France, with warm and unabated expectations, that no serious commotion would take place, and that the nation would soon settle down in the quiet enjoyment of a mass of liberations, to go on improving its condition, in future, by future and successive ameliorations, but never to retrograde. The example of the United States had been viewed as their model on all occasions, and with an authority like that of the bible, open to explanation, but not to question. The King had now become a passive machine in the hands of the National Assembly, and had he been left to himself, would unquestionably have acquiesced in their determinations. A wise constitution would have been formed, hereditary in his line, him-

self placed at its head, with powers so large as to enable him to execute all the good of his station, and so limited as to restrain him from its abuse. This constitution he would have faithfully administered, and more than this he never wished. Such was the belief and the hope of Mr. Jefferson; and to one, mortal source, he ascribed the overthrow of all these fond anticipations, and the deluge of crimes and cruelties which subsequently desolated France. To the despotic and disastrous influence of a single woman, he attributed the horrible catastrophe of the French Revolution!

“ But he had a Queen of absolute sway over his weak mind and timid virtue, and of a character the reverse of his in all points. This angel, as gaudily painted in the rhapsodies of Burke, with some smartness of fancy, but no sound sense, was proud, disdainful of restraint, indignant at all obstacles to her will, eager in the pursuit of pleasure, and firm enough to hold to her desires, or perish in their wreck. Her inordinate gambling and dissipations, with those of the Count d'Artois, and others of her *clique*, had been a sensible item in the exhaustion of the treasury, which called into action the reforming hand of the nation; and her opposition to it, her inflexible perverseness, and dauntless spirit, led herself to the Guillotine, drew the King on with her, and plunged the world into crimes and calamities which will for ever stain the pages of modern history. I have ever believed, that had there been no Queen, there would have been no Revolution. No force would have been provoked, nor exercised. The King would have gone hand in hand with the wisdom of his sounder counsellors, who, guided by the increased lights of the age, wished only, with the same pace, to advance the principles of their social constitution. The deed which closed the mortal course of these sovereigns, I shall neither approve nor condemn. I am not prepared to say, that the first magistrate of a nation cannot commit treason against his country, or is unamenable to its punishment: nor yet, that where there is no written law, no regulated tribunal, there is not a law in our hearts, and a power in our hands, given for righteous employment in maintaining right, and redressing wrong. Of those who judged the King, many thought him wilfully criminal; many, that his existence would keep the nation in perpetual conflict with the horde of Kings, who would war against a regeneration which might come home to themselves, and that it were better that one should die than all. I should not have voted with this portion of the legislature. I should have shut up the Queen in a convent, putting harm out of her power, and placed the King in his station, investing him with limited powers, which, I verily believe, he would have honestly exercised, according to the measure of his understanding. In this way, no void would have been created, courting the usurpation of a military

adventurer, nor occasion given for those enormities which demoralized the nations of the world, and destroyed, and is yet to destroy, millions and millions of its inhabitants."

Mr. Jefferson had been more than a year soliciting leave to return to America, with a view to place his daughters in the society of their friends, to attend to some domestic arrangements of pressing moment, and to resume his station for a short time, at Paris; but it was not until the last of August that he received the permission desired.

The generous tribute which he has paid to the French nation, at this point, in his auto-biographical notes, displays at one view, the state of feeling with which he quitted a country, where he had passed so various, useful, and delightful a portion of his public life.

"And here I cannot leave this great and good country, without expressing my sense of its pre-eminence of character among the nations of the earth. A more benevolent people I have never known, nor greater warmth and devotedness in their select friendships. Their kindness and accommodation to strangers is unparalleled, and the hospitality of Paris is beyond any thing I had conceived to be practicable in a large city. Their eminence, too, in science, the communicative dispositions of their scientific men, the politeness of the general manners, the ease and vivacity of their conversation, give a charm to their society, to be found no where else. In a comparison of this with other countries, we have the proof of primacy, which was given to Themistocles after the battle of Salamis. Every general voted to himself the first reward of valor, and the second to Themistocles. So, ask the travelled inhabitant of any nation, In what country on earth would you rather live?—Certainly, in my own, where are all my friends, my relations, and the earliest and sweetest affections and recollections of my life. Which would be your second choice? France."

On the 26th of September, 1789, Mr. Jefferson left Paris for America. He was detained at Havre by contrary winds, until the 8th of October, when he crossed over to Cowes, where he was again detained by contrary winds, until the 22d, when he embarked, and landed at Norfolk, Virginia, on the 23d of November. On his way to Monticello, he passed some days at Eppington, in Chesterfield county, the residence of his friend and connection, Mr. Eppes; and while there, he received a letter from the President, General Washington, by express, covering an appointment of Secretary of State to the new government. Gratifying as was this high testimony of his public estimation, the highest in the power of the President to confer, he nevertheless received it with real regret. His wish had

been to return to Paris, where he had left his household establishment, to see the end of the Revolution, which he then thought would be certainly and happily closed in less than a year, and to make that the epoch of his retirement from all public employments. "I then meant," says he, "to return home, to withdraw from political life, into which I had been impressed by the circumstances of the times, to sink into the bosom of my family and friends, and devote myself to studies more congenial to my mind." In a letter to Mr. Madison, a short time before leaving Paris, he writes: "You ask me if I would accept any appointment on that side of the water? You know the circumstances which led me from retirement, step by step, and from one nomination to another, up to the present. My object is a return to the same retirement. When, therefore, I quit the present, it will not be to engage in any other office, and most especially any one which would require a constant residence from home." In a letter to another friend in Virginia, the same sentiment is pursued: "Your letter has kindled all the fond recollections of ancient times; recollections much dearer to me than any thing I have known since. There are minds which can be pleased by honors and preferments; but I see nothing in them but envy and enmity. It is only necessary to possess them, to know how little they contribute to happiness, or rather how hostile they are to it. No attachments soothe the mind so much as those contracted in early life; nor do I recollect any societies which have given me more pleasure, than those of which you have partaken with me. I had rather be shut up in a very modest cottage, with my books, my family, and a few old friends, dining on simple bacon, and letting the world roll on as it liked, than to occupy the most splendid post, which any human power can give."

In his answer to the President, under date of December 15th, he expressed these dispositions frankly, and his preference of a return to Paris; but assured him, at the same time, that if it was believed he could be more useful in the administration of the government, he would sacrifice his own inclinations, without hesitation, and repair to that destination. He arrived at Monticello, on the 23d of December, where he received a second letter from the President, expressing his continued wishes that he would accept the Department of State, if not absolutely irreconcilable with his inclinations. This silenced his reluctance, and he accepted the new appointment. He

left Monticello on the 1st of March, 1790, arrived at New-York, the then seat of Government, on the 21st, and immediately entered on the duties of his station.

In the short interval which he passed at Monticello, his eldest daughter was married to Thomas M. Randolph, eldest son of the Tuckahoe branch of Randolphs. He was a young gentleman of genius, science, and honorable mind, who afterwards filled a dignified station in the General Government, and, at length, the executive chair of Virginia, with credit, for a number of years.

CHAPTER X.

Mr. Jefferson's arrival at the seat of government, in the character of Secretary of State, completed the organization of the first national administration under the present Constitution of the United States. The new system had been in operation about one year. George Washington had been unanimously elected President, and inaugurated on the 30th of April, 1789. John Adams was Vice President; Alexander Hamilton, Secretary of the Treasury; Henry Knox, Secretary of War; and Edmund Randolph, Attorney General.

Of this cabinet, it is matter of historical notoriety, that Alexander Hamilton was the Ajax Telemon. To a mind of extraordinary endowments, he united the unlimited confidence of the President, during the first stages of his executive action, which, aided by a series of fiscal operations, enabling him to insinuate his power into both branches of the legislature, gave him a preponderating and almost irresistible influence in directing the measures of the Administration. But his political opinions, with such advantages of personal ascendancy, rendered him a dangerous minister, at the crisis of the birth of our present government. The political characters of the Secretary of the Treasury, and the Vice President, are drawn with a powerful and discriminating hand, by Mr. Jefferson, in his private memoranda of that period.

"Hamilton was not only a monarchist, but for a monarchy bottomed on corruption. In proof of this, I will relate an anecdote,

for the truth of which I attest the God who made me. Before the President set out on his southern tour in April, 1791, he addressed a letter of the fourth of that month, from Mount Vernon, to the Secretaries of State, Treasury, and War, desiring that if any serious and important cases should arise during his absence, they would consult and act on them. And he requested that the Vice President should also be consulted. This was the only occasion on which that officer was ever requested to take part in a cabinet question. Some occasion for consultation arising, I invited those gentlemen (and the Attorney General as well as I remember,) to dine with me, in order to confer on the subject. After the cloth was removed, and our question agreed and dismissed, conversation began on other matters, and, by some circumstance, was led to the British Constitution, on which Mr. Adams observed, 'Purge that constitution of its corruption, and give to its popular branch equality of representation, and it would be the most perfect constitution ever devised by the wit of man.' Hamilton paused and said, 'Purge it of its corruption, and give to its popular branch equality of representation, and it would become an *impracticable* government; as it stands at present, with all its supposed defects, it is the most perfect government which ever existed.' And this was assuredly the exact line which separated the political creeds of these two gentlemen. 'The one was for two hereditary branches and an honest elective one; the other for an hereditary King, with a House of Lords and Commons corrupted to his will, and standing between him and the people. Hamilton was, indeed, a singular character. Of acute understanding, disinterested, honest, and honorable in all private transactions, amiable in society, and duly valuing virtue in private life, yet so bewitched and perverted by the British example, as to be under thorough conviction that corruption was essential to the government of a nation.

"Mr. Adams had originally been a republican. The glare of royalty and nobility, during his mission to England, had made him believe their fascination a necessary ingredient in government; and Shays's rebellion, not sufficiently understood where he then was, seemed to prove that the absence of want and oppression, was not a sufficient guarantee of order. His book on the American Constitutions having made known his political bias, he was taken up by the monarchical federalists in his absence, and, on his return to the United States, he was by them made to believe that the general disposition of our citizens was favorable to monarchy. He here wrote his *Davila*, as a supplement to the former work, and his election to the Presidency confirmed him in his errors. Innumerable addresses too, artfully and industriously poured in upon him, deceived him into a confidence that he was on a pinnacle of popularity, when the gulph was yawning at his feet, which was to swallow up him and his deceivers. For when General Washing-

ton was withdrawn, these *energumeni* of royalism, kept in check hitherto by the dread of his honesty, his firmness, his patriotism, and the authority of his name, now mounted on the car of State and free from control, like Phaeton on that of the sun, drove headlong and wild, looking neither to right nor left, nor regarding any thing but the objects they were driving at; until, displaying these fully, the eyes of the nation were opened, and a general disbandment of them from the public councils took place."

The following note of a conversation with Mr. Hamilton, dated August 13th, 1791, presents a more favorable view of his sentiments, and seems due to him as a matter of justice.

"Alexander Hamilton condemning Mr. Adams' writings, and most particularly Davila, as having a tendency to weaken the present government, declared in substance as follows: 'I own it is my own opinion, though I do not publish it in Dan or Beersheba, that the present government is not that which will answer the ends of society, by giving stability and protection to its rights, and that it will probably be found expedient to go into the British form. However, since we have undertaken the experiment, I am for giving it a fair course, whatever my expectations may be. The success, indeed, so far, is greater than I had expected, and therefore, at present, success seems more possible than it had done heretofore, and there are still other and other stages of improvement, which, if the present does not succeed, may be tried, and ought to be tried, before we give up the republican form altogether; for that mind must be really depraved, which would not prefer the equality of political rights, which is the foundation of pure republicanism, if it can be obtained consistently with order. Therefore, whoever by his writings disturbs the present order of things, is really blameable, however pure his intentions may be, and he was sure Mr. Adams' were pure.' This is the substance of a declaration made in much more lengthy terms, and which seemed to be more formal than usual for a private conversation between two, and as if intended to qualify some less guarded expressions which had been dropped on former occasions. Th. Jefferson has committed it to writing in the moment of A. Hamilton's leaving the room."

The Secretary of War, General Knox, was a gentleman of great military reputation, but wedded to the splendor, the pompous parade and ceremonies of royalty, to which he had been trained by military habit. He is understood to have proposed to General Washington, to decide the question of a monarchical or a republican government, by his army, before its disbandment, and to assume himself the crown, on the assurance of their support. The indignation with which the Commander in Chief rejected this liberticide

proposition, was equally worthy his virtue and wisdom. His next proposition was the establishment of an hereditary order, in the name of the Cincinnati, in which he succeeded.

Such were the strong monarchical elements which entered into the composition of General Washington's cabinet. Against this weight of opinion, Mr. Jefferson constituted the great republican check, and the only one, except on some occasions of support from the Attorney General. What were the scenes of trial, of mortification, of anguish, and indignity, through which he was called to pass? They have not yet fully penetrated the veil of secrecy; nor is it probable history will ever be able to do justice to the political conflicts of that day. The developments, however, which have been lately made, have thrown a flood of light upon them. They were conflicts of principle, between the advocates of republican, and those of kingly government, and had not the former, with their acknowledged leader, put forth the unmeasured and unceasing efforts which they did, our government would have been, at an early day, a very different thing from what the success of those efforts has made it. His first entrance upon the political stage, at New York, discovered to him a state of affairs which will appear almost incredible at the present day.

"Here, certainly, I found a state of things which, of all I had ever contemplated, I the least expected. I had left France in the first year of her revolution, in the fervor of natural rights, and zeal for reformation. My conscientious devotion to these rights could not be heightened, but it had been aroused and excited by daily exercise. The President received me cordially, and my colleagues and the circle of principal citizens, apparantly with welcome. The courtesies of dinner parties given me, as a stranger newly arrived among them, placed me at once in their familiar society. But I cannot describe the wonder and mortification with which the table conversations filled me. Politics were the chief topic, and a preference of kingly over republican government, was evidently the favorite sentiment. An apostate I could not be, nor yet a hypocrite, and I found myself, for the most part, the only advocate on the republican side of the question, unless among the guests there chanced to be some member of that party from the legislative Houses. Hamilton's financial system had then passed. It had two objects; 1, as a puzzle, to exclude popular understanding and inquiry; 2, as a machine for the corruption of the legislature: for he avowed the opinion, that man could be governed by one of two motives only, force or interest: force, he observed, in this country,

was out of the question, and the interests, therefore, of the members must be laid hold of, to keep the legislature in unison with the executive. And with grief and shame it must be acknowledged, that his machine was not without effect; that even in this, the birth of our government, some members were found sordid enough to bend their duty to their interests, and to look after personal rather than public good."

Hamilton's financial system, considered as a whole, comprehended three great operations, which were carried through in the order in which they are mentioned. 1. The funding the debts of the Union, foreign and domestic, upon certain principles recommended by him. 2. The assumption, by the United States, of the debts of the several States, and the funding of these also, upon similar principles. 3d. The establishment of a National Bank. The first of these measures had passed when Mr. Jefferson arrived at the seat of government. Some acquaintance, however, with its general principles, and those of the financial system generally, is requisite to an intelligible estimate of his opinions, and of the causes of opposition to the Hamiltonian administration.

It is well known that during the war, the greatest difficulty we experienced, was the want of money or means to pay the soldiers who fought our battles, or the farmers, manufacturers, and merchants who furnished them the necessary supplies of food and clothing. After the expedient of paper money had exhausted itself, certificates of debt were given to the individual creditors, with assurances of payment, so soon as the United States should be able. But the distresses of these people often obliged them to part with their certificates for the half, the fifth, and even the tenth of their value. This state of things produced a greedy and desolating career of speculation, all over the country; and the speculators made a trade of cozening the public securities from the holders, by the most fraudulent practices and persuasions that they would never be paid. But this species of gambling in the public paper, at the expense of the poor and honest creditors of the government, would have prevailed to a limited extent only, had not the government itself encouraged and sanctioned it by a deliberate act. It then became swindling on a large and legalized scale. In the bill for funding and paying the domestic debt, Hamilton made no distinction between the original holders, and the fraudulent purchasers of the public securities. Great and just disapprobation arose at pat-

ting these two classes of creditors on the same footing, and powerful exertions were made to pay the former the full value, and the latter, the price only which they had paid, with interest. But this righteous discrimination, by closing the door to corruption, would have defeated the fundamental purpose of Hamilton, which was as honest as it was wrong; for he had avowed the belief that man could be governed only by force or corruption, and surely, no man ever went more ingeniously to work to reduce his theory to practice. No one can imagine the torrent of corruption let loose in Congress, and the stimulus given to the out-door jobbing and speculating herd, on the defeat of the discriminating proposition of Mr. Madison. When the trial of strength, on this and other efforts, had indicated the form in which the bill would finally pass, the mercenary scramble began. Couriers and relay-horses by land, and swift sailing pilot-boats by sea, were flying in all directions. Active partners and agents were associated and employed in every State, town and village, and the public paper bought up at five shillings, and even as low as two shillings in the pound, before the holder knew that Congress had provided for its redemption at par. Immense sums were thus filched from the poor and ignorant, and fortunes accumulated in a moment, by the dexterity of a political leader. Who can wonder at the overwhelming monied influence which Hamilton raised in his favor, by such an adroit disposition of more than forty millions of dollars, the estimated amount of the domestic debt of the Union?

This scheme was over, and another on the tapis at the moment of Mr. Jefferson's arrival. This fiscal operation is well known by the name of the Assumption. Independently of the proper debt of the Union, the States had, during the war, contracted separate and heavy debts; and these expenses, whether wisely or foolishly incurred, were claimed to have been incurred for general purposes, and ought therefore to be reimbursed from the general purse. Nobody knew the nature of these debts, their amount, or their proofs. No matter; we will guess. Nobody knew how much should be reimbursed to one State, or how much to another. No matter; we will guess. Thus another scramble was set a going among the several States, and some got much, some little, some nothing. But an additional lever of twenty-millions of dollars, was put into the hands of the Secretary of the Treasury, for bringing the legis-

lative in subservience to the executive power, and working the machine of government according to the maxims of the monarchical school.

The Assumption question created the most bitter contests ever known in Congress, before or since the union of the States. The principal grounds on which the measure was resisted, were its unconstitutionality, and its tendency to destroy the sovereignty of the States, by engulfing them in the vortex of consolidation. The discussions, on both sides, were tempestuous ; and the bill is indebted for its final passage, to the pacificatory intervention of Mr. Jefferson, a step into which he was most ignorantly and innocently seduced. He arrived in the midst of the debates ; but, a stranger to the ground, a stranger to the actors, and as yet unaware of the object of the measure, he took no concern in it. The great and trying question, however, was lost in the House of Representatives. This produced a state of things, which exacted from him a duty, on the performance of which, he was made to believe, depended the preservation of the Union. Nor, in fact, were the probabilities of such a consequence very apochryphal. So high were the feuds excited, that on the rejection of the bill, business was suspended. Congress met and adjourned from day to day, without doing any thing, such was the implacability of the parties. The eastern members particularly, with Smith of South Carolina, threatened a secession and dissolution, unless the measure should be adopted. Hamilton was in despair. He went to Mr. Jefferson, and exerted an eloquence, which was seldom exerted in vain. He painted pathetically, the temper into which the Legislature had been wrought ; the disgust of those who were called the creditor States ; the danger of the secession of their members, and the separation of the States. He observed that the officers of the Administration ought to act in concert ; that though this question was not of the State department, yet a common duty should make it a common concern ; that the President was the centre on which all administrative questions ultimately rested, and that his ministers should all rally around him, and support, with joint efforts, the measures approved by him ; and that the question having been lost by a small majority only, it was probable the timely appeal of Mr. Jefferson, to the judgment and discretion of some of his friends, would effect a change in the vote, and the action of the government, now suspended, be again renewed.

In reply, Mr. Jefferson remarked, that he was really a stranger to the whole subject ; that not having yet informed himself of the system of finance adopted, he knew not how far the present measure was a necessary supplement ; but that, if its rejection endangered a dissolution of the Union, at this incipient stage, he should deem such a catastrophe the most dreadful of all consequences ; to avert which, all partial and temporary evils should be yielded. He therefore proposed to Hamilton to dine with him the next day, when he would invite two or three of his own political friends, and bring them into amicable conference and consultation. The discussion took place at Mr. Jefferson's house ; in which himself sustained no part but that of exhortation to mutual concession. It was finally agreed, that whatever importance was attached to the rejection of the proposition, the preservation of the Union was infinitely more important, and that therefore, the vote of rejection should be rescinded ; to effect which some members should be prevailed on to change their votes. There had been a proposition to establish the seat of government either at Philadelphia or Georgetown ; and it was thought, that by giving the location to Philadelphia for ten years, and to Georgetown permanently afterwards, such an accommodation would be administered as would quiet the opposition of a sufficient number. Two of the Potomac members, accordingly, changed their votes, but with a revulsion of feeling almost suffocating. And Hamilton, on his part, undertook to carry the proposition for removing the seat of government ; which, his influence over the eastern members, with that of Robert Morris, over those of the Middle States, enabled him to effect without difficulty. Mr. Jefferson could never afterwards contemplate with satisfaction, his agency in this corrupt transaction, although he had been urged to it by the purest of all motives, and had restrained it to a character strictly palliative and mediatorial.*

The passage of the Assumption threw a vast accession of power into the Treasury, and made its chief the master of every question in the Legislature, which was calculated to give to the government the direction suited to his political views. But still the organization was incomplete ; and Hamilton, who was outwitted by few statesmen practicing upon the same theory, had the sagacity to perceive

* Jefferson's Ana.

it. The effect of the funding system, and of the assumption, would be temporary ; it would be lost with the loss of the individual members whom it had enriched ; and some engine of more permanent influence must be contrived, while the present majority continued in place, to carry it through all opposition. This engine was the Bank of the United States.

The history of this transaction is better known. The measure was strenuously opposed on the ground of its unconstitutionality. It was conceded on all hands that no express power for this purpose was given by the constitution ; but it was contended, that a fair construction of the phrase, ‘to make all laws which shall be necessary and proper for carrying into execution the enumerated powers,’ authorized the adoption of any measure which Congress should think necessary and proper. On the other hand it was urged, that this power was not only not granted, but expressly reserved by the clause providing, that ‘all powers not delegated to the United States, nor prohibited to the States, were reserved to the States or to the people.’ As a further evidence against the supposed authority of implication, it was observed, that in the convention which framed the Constitution, a proposition to confer this power was made and negatived.

When the law was presented to the President for his signature, he deemed the constitutional question of so great importance, that he took the unusual method of requesting the written opinions of his cabinet on the subject. These opinions were accordingly given in. Those of the Secretaries of the Treasury, and of War, were in favor of the constitutionality of the act ; those of the Secretary of State, and Attorney General, were against it. The following is the opinion of Mr. Jefferson. It is an unanswerable argument against the doctrine of implied powers, and is justly considered the text of the true republican faith, on the subject of constitutional interpretation.

“The Bill for establishing a National Bank, undertakes, among other things, 1. To form the subscribers into a corporation. 2. To enable them, in their corporate capacities, to receive grants of land ; and so far, is against the laws of *Mortmain*. 3. To make *alien* subscribers capable of holding lands ; and so far, is against the laws of *Alienage*. 4. To transmit these lands, on the death of a proprietor, to a certain line of successors ; and so far, changes the course of *Descents*. 5. To put the lands out of the reach of for-

feiture or escheat ; and so far, is against the laws of *Forfeiture* and *Escheat*. 6. To transmit personal chattels to successors in a certain line ; and so far, is against the laws of *Distribution*. 7. To give them the sole and exclusive right of banking under the national authority ; and so far, is against the laws of *Monopoly*. 8. To communicate to them a power to make laws paramount to the laws of the States ; for so they must be construed, to protect the institution from the control of the State Legislatures ; and so, probably, they will be construed.

“I consider the foundation of the constitution as laid on this ground, that ‘all powers not delegated to the United States by the constitution, nor prohibited by it to the States, are reserved to the States or to the people.’ (Twelfth amendment.) To take a single step beyond the boundaries thus specially drawn around the powers of Congress, is to take possession of a boundless field of power, no longer susceptible of any definition.

The incorporation of a bank, and the powers assumed by this bill, have not, in my opinion, been delegated to the United States by the constitution.

I. They are not among the powers specially enumerated. For these are,

1. A power to *lay taxes* for the purpose of paying the debts of the United States. But no debt is paid by this bill, nor any tax laid. Were it a bill to raise money, its origination in the Senate would condemn it by the constitution.

2. To ‘borrow money.’ But this bill neither borrows money, nor insures the borrowing it. The proprietors of the bank will be just as free as any other money-holders, to lend or not to lend their money to the public. The operation proposed in the bill, first to lend them two millions, and then borrow them back again cannot change the nature of the latter act, which will still be a payment and not a loan, call it by what name you please.

3. ‘To regulate commerce with foreign nations, and among the States, and with the Indian tribes.’ To erect a bank, and to regulate commerce, are very different acts. He who erects a bank creates a subject of commerce in its bills : so does he who makes a bushel of wheat, or digs a dollar out of the mines. Yet neither of these persons regulates commerce thereby. To make a thing which may be bought and sold, is not to prescribe regulations for buying and selling. Besides, if this were an exercise of the power of regulating commerce, it would be void, as extending as much to the internal commerce of every State, as to its external. For the power given to Congress by the constitution, does not extend to the internal regulation of the commerce of a State, (that is to say, of the commerce between citizen and citizen,) which remains exclusively with its own legislature ; but to its external commerce only, that is to say, its commerce with another State, or with foreign nations, or

with the Indian tribes. Accordingly, the bill does not propose the measure as a 'regulation of trade,' but as 'productive of considerable advantage to trade.'

Still less are these powers covered by any other of the special enumerations.

II. Nor are they within either of the general phrases, which are the two following.

1. 'To lay taxes to provide for the general welfare of the United States;' that is to say, 'to lay taxes *for the purpose* of providing for the general welfare.' For the laying of taxes is the *power*, and the general welfare the *purpose* for which the power is to be exercised. Congress are not to lay taxes, *ad libitum*, for *any purpose they please*: but only to *pay the debts, or provide for the welfare of the Union*. In like manner, they are not to *do anything they please*, to provide for the general welfare, but only to *lay taxes* for that purpose. To consider the latter phrase, not as describing the purpose of the first, but as giving a distinct and independent power to do any act they please, which might be for the good of the Union, would render all the preceding and subsequent enumerations of power completely useless. It would reduce the whole instrument to a single phrase, that of instituting a Congress with power to do whatever would be for the good of the United States; and as they would be the sole judges of the good or evil, it would be also a power to do whatever evil they pleased. It is an established rule of construction, where a phrase will bear either of two meanings, to give it that which will allow some meaning to the other parts of the instrument, and not that which will render all the others useless. Certainly no such universal power was meant to be given them. It was intended to lace them up straitly within the enumerated powers, and those without which, as means, these powers could not be carried into effect. It is known that the very power now proposed *as a means*, was rejected *as an end* by the convention which formed the constitution. A proposition was made to them, to authorize Congress to open canals, and an amendatory one, to empower them to incorporate. But the whole was rejected; and one of the reasons of rejection urged in debate was, that they then would have a power to erect a bank, which would render the great cities, where there were prejudices and jealousies on that subject, averse to the reception of the constitution.

2. The second general phrase is, 'to make all laws *necessary* and proper for carrying into execution the enumerated powers.' But they can all be carried into execution without a bank. A bank, therefore, is not *necessary*, and consequently, not authorized by this phrase.

It has been much urged, that a bank will give great facility or convenience in the collection of taxes. Suppose this were true: yet the constitution allows only the means which are 'necessary'

not those which are merely 'convenient' for effecting the enumerated powers. If such a latitude of construction be allowed to this phrase, as to give any non-enumerated power, it will go to every one; for there is no one which ingenuity may not torture into a *convenience, in some way or other, to some one* of so long a list of enumerated powers. It would swallow up all the delegated powers, and reduce the whole to one phrase, as before observed. Therefore it was, that the constitution restrained them to the *necessary* means, that is to say, to those means without which the grant of the power would be nugatory.

But let us examine this 'convenience,' and see what it is. The report on this subject, page 2, states the only *general* convenience to be, the preventing the transportation and re-transportation of money between the States and the treasury. (For I pass over the increase of circulation medium ascribed to it as a merit, and which, according to my ideas of paper money, is clearly a demerit.) Every State will have to pay a sum of tax-money into the treasury; and the treasury will have to pay in every State a part of the interest on the public debt, and salaries to the officers of government resident in that State. In most of the States, there will be still a surplus of tax-money, to come up to the seat of government, for the officers residing there. The payments of interests and salary in each State, may be made by treasury orders on the State collector. This will take up the greater part of the money he has collected in his State and consequently prevent the great mass of it from being drawn out of the State. If there be a balance of commerce in favor of that State, against the one in which the government resides, the surplus of taxes will be remitted by the bills of exchange drawn for that commercial balance. And so it must be if there were a bank. But if there be no balance of commerce, either direct or circuitous, all the banks in the world could not bring us the surplus of taxes but in the form of money. Treasury orders, then, and bills of exchange, may prevent the displacement of the main mass of the money collected, without the aid of any bank; and where these fail, it cannot be prevented even with that aid.

Perhaps, indeed, bank bills may be a more *convenient* vehicle than treasury orders. But a little *difference* in the degree of convenience, cannot constitute the necessity which the constitution makes the ground for assuming any non-enumerated power.

Besides, the existing banks will, without doubt, enter into arrangements for lending their agency, and the more favorable, as there will be a competition among them for it. Whereas, this bill delivers us up bound to the national bank, who are free to refuse all arrangements but on their own terms, and the public not free, on such refusal to employ any other bank. That of Philadelphia, I believe, now does this business by their post notes, which, by an arrangement with the treasury, are paid by any State collector to

whom they are presented. This expedient alone, suffices to prevent the existence of that *necessity* which may justify the assumption of a non-enumerated power, as a means for carrying into effect an enumerated one. The thing may be done, and has been done, and well done, without this assumption ; therefore, it does not stand on that degree of *necessity* which can honestly justify it.

It may be said, that a bank, whose bills would have a currency all over the States, would be more convenient than one whose currency is limited to a single State. So it would be still more convenient, that there should be a bank whose bills should have a currency all over the world. But it does not follow from this superior convenience, that there exists any where a power to establish such a bank, or that the world may not go on very well without it.

Can it be thought that the constitution intended, that for a shade or two of *convenience*, more or less, Congress should be authorized to break down the most ancient and fundamental laws of the several States, such as those against mortmain, the laws of alienage, the rules of descent, the acts of distribution, the laws of escheat and forfeiture, and the laws of monopoly. Nothing but a necessity invincible by any other means, can justify such a prostration of laws, which constitute the pillars of our whole system of jurisprudence. Will Congress be too strait-laced to carry the constitution into honest effect, unless they may pass over the foundation laws of the State governments, for the slightest convenience to theirs ?

The negative of the President is the shield provided by the constitution, to protect against the invasions of the legislature, 1. the rights of the Executive ; 2. of the Judiciary ; 3. of the States and State legislatures. The present is the case of a right remaining exclusively with the States, and is, consequently, one of those intended by the constitution to be placed under his protection.

It must be added, however, that unless the President's mind, on a view of every thing which is urged for and against this bill, is tolerably clear that it is unauthorized by the constitution, if the *pro* and the *con* hang so even as to balance his judgment, a just respect for the wisdom of the legislature would naturally decide the balance in favor of their opinion. It is chiefly for cases where they are clearly misled by error, ambition, or interest, that the constitution has placed a check in the negative of the President."

President Washington weighed the opinions of his Secretaries with great deliberation ; and, without being entirely satisfied, concluded to approve the act. His own individual opinion was against the constitutional power of the legislature to create such an institution ; but he did not feel warranted to oppose his single judgment to the declared wisdom and wishes of a majority of both Houses, and the opinions of one half of his constitutional advisers. The

political effects of this great engine were soon visible. While the government remained at Philadelphia, a selection of members of Congress was constantly kept as directors, who, on every question interesting to the institution, voted at the will of its founder ; and with the aid of the stockholding members, could always ensure a majority. By this combination, legislative expositions were given to the constitution, which shaped the administrative laws on the model of the British government. And from this influence, the legislature was not relieved, until their removal from the precincts of the Bank, to Washington.*

The extensive monied influence which Hamilton had now established, by the success of his financial exploits, reduced the whole action of the government under the direction of the Treasury. It must not be understood, however, that any thing like a majority in Congress had yielded to this corruption. Far from it. But a division, not very unequal, had already taken place in the honest part of that body, between the parties styled republican and federal ; and the mercenary phalanx, added to the latter, of which Hamilton was the leader, insured him always a majority in both Houses. Against this aristocracy of wealth and monarchism, in favor of splendid schemes of government, and making daily inroads upon the constitution by legislative constructions promotive of those schemes, in favor of perpetual debt, excessive taxation, profuse expenditures, artificial distinctions, monopolies, standing armies, and all the necessary implements and auxiliaries of a heavy *national*, in contradistinction to a *federal*, republican government ; against this party and its measures, an opposition arose, of which a very injurious idea has been insinuated in history, but to which the world is indebted for the preservation of the principles of republicanism, and all the blessings which have flowed, and are yet to flow from their institution. At the head of this opposition public opinion has universally placed Thomas Jefferson ; and as his opponents were anxious he should bear all the odium of the distinction, while living, they will not object to his receiving the glory of it, now awarded to him by the unanimous and dispassionate judgment of posterity.

“ Here then was the real ground of the opposition which was made to the course of administration. Its object was to preserve

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the legislature pure and independent of the executive, to restrain the administration to republican forms and principles, and not permit the constitution to be construed into a monarchy, and to be warped, in practice, into all the principles and pollutions of their favorite English model. Nor was this an opposition to General Washington. He was true to the republican charge confided to him; and has solemnly and repeatedly protested to me, in our conversations, that he would lose the last drop of his blood in support of it; and he did this the oftener and with the more earnestness, because he knew my suspicions of Hamilton's designs against it, and wished to quiet them. For he was not aware of the drift, or of the effect of Hamilton's schemes. Unversed in financial projects and calculations and budgets, his approbation of them was bottomed on his confidence in the man."

No other office under the Government of the United States, comprehends so wide a range of objects, or involves duties of such magnitude, complexity and responsibility, as the Department of State. It embraces the whole mass of foreign administration, and the principal of the domestic. To the first order of capacity, and the greatest versatility of talent, it is indispensable that the organ of this copious magistracy, should unite an intimate and extensive knowledge of the foreign and domestic situation of the country, a familiarity with the civil and international code of the government, and a profound acquaintance with history, and human nature. If these qualifications are rightly considered essential prerequisites, under ordinary times and circumstances, how much more was their possession necessary, at the opening crisis of the new government? Before it had formed a character among nations, and when the impulse and direction which should then be given to it, would establish that character, perhaps everlastingly? Before its internal faculties and capabilities were developed, but while they were in the process of development, when, consequently, every thing depended on the mode of treatment, which should be administered by its supreme functionaries? The share which Mr. Jefferson had, in marshaling the domestic resources of the republic, and fixing them upon a lucrative foundation, in shaping the subordinate features of its political organization, and, most especially, in establishing the principles of its foreign policy, constitutes one of the most splendid epochs in his public history. Among the multitude of his official labors, in advancement of these objects, the following specific acts enjoy a distinguished reputation :

Report of a plan for establishing a uniform system of Coins, Weights and Measures in the United States.

Report on the Cod and Whale Fisheries.

Report on the Commerce and Navigation of the United States.

These performances were of an extra character, not necessarily appertaining to the duties of his Department, and, indeed, belonging more properly to some one or more of the ordinary committees of Congress. They were of a peculiar nature, growing out of the infancy of the republic, and the imperfect development and organization of its resources, dependencies and capabilities ; and, as such, their execution, in a faithful and satisfactory manner, required an accurate knowledge of the condition of the country, internal and external, physical and moral, with the exercise of the most patient investigation, and varied practical talents. The manner in which these difficult and important trusts were discharged by Mr. Jefferson, was of a character which elicited the spontaneous admiration of all parts of the country.

1. The Report of the Secretary of State, containing a plan for establishing a uniform system of Coins, Weights and Measures, was executed with astonishing dispatch, considering the intricacy of the subject, and the novelty of the experiment. He received the order of Congress on the 15th of April, 1790, when an illness of several weeks supervened, which, with the pressure of other business, retarded his entrance upon the undertaking, until some time in the ensuing month. He finished it, however, on the 20th of May. One branch of the subject, that of Coins, had already received his attention, while a member of Congress, in 1784 ; and it had then occurred to him, that a corresponding uniformity in the kindred branches, of weights and measures, would be easy of introduction, and a desirable improvement. But the idea was not pursued by him, except for his own private gratification ; having procured an odometer, of curious construction upon this principle, he used to carry it, when travelling, and note the distances in miles, cents and mills.

In sketching the principles of his system, Mr. Jefferson was dependent on the guides of his own genius. It was in vain to look to the enlightened nations of the old world, for an example to direct him in his researches. No such example existed. It is a little remarkable, however, that two of the principal European govern-

ments, France and England, were at this very period, learnedly engaged on the same subject.

The first object which presented itself in his enquiries, was the discovery of some measure of invariable length, as a standard. This was found to be a matter of no small difficulty.

"There exists not in nature, as far as has been hitherto observed, a single subject or species of subject, accessible to man, which presents one constant and uniform dimension.

"The globe of the earth itself, indeed, might be considered as invariable in all its dimensions, and that its circumference would furnish an invariable measure: but no one of its circles, great or small is accessible to admeasurement through all its parts; and the various trials, to measure definite portions of them, have been of such various result, as to shew there is no dependence on that operation for certainty.

"Matter then, by its mere extension, furnishing nothing invariable, its motion is the only remaining resource.

"The motion of the earth round its axis, though not absolutely uniform and invariable, may be considered as such for every human purpose. It is measured obviously, but unequally, by the departure of a given meridian from the sun, and its return to it, constituting a solar day. Throwing together the inequalities of solar days, a mean interval, or day, has been found, and divided, by very general consent, into eighty-six thousand four hundred equal parts.

"A pendulum, vibrating freely, in small and equal arcs, may be so adjusted in its length, as, by its vibrations, to make this division of the earth's motion into eighty-six thousand four hundred equal parts, called seconds of mean time.

"Such a pendulum, then, becomes itself a measure of determinate length, to which all others may be referred, as to a standard."

But even the pendulum was not without its uncertainties. Among these, not the least was the fact, that the period of its vibrations varied in different latitudes. To obviate this objection, he proposed to fix on some one latitude to which the standard should refer. That of 38 deg. being the mean latitude of the United States, he adopted it, at first; but afterwards, on receiving a printed copy of a proposition of the Bishop of Autun, to the National Assembly of France, in which the author had recommended the 45 deg., he concluded to substitute that in the room of 38 deg., for the sake of uniformity with a nation, with whom we were connected in commerce, and in the hope that it might become a line of union with the rest of the world.

Having adopted the pendulum vibrating seconds in the 45 deg. of latitude, as a standard of invariable length, he proceeded to identify, by that, the measures, weights and coins of the United States. But, unacquainted with the extent of reformation meditated by Congress, he submitted two alternative plans. First, on the supposition that the difficulty of changing the established habits of a whole nation, opposed an insuperable bar to a radical reformation, he proposed that the present weights and measures should be retained, but be rendered uniform, by bringing them to the same invariable standard. Secondly, on the hypothesis that an entire reformation was contemplated, he proposed the adoption of a unit of measure, to which the whole system of weights and measures should be reduced, with divisions and subdivisions in the decimal ratio, corresponding to the uniformity already established in the coins of the United States. On the whole, he was inclined to favor the alternative of a general reformation, with a view to conform the denominations of weights and measures to those already introduced into the currency of the country. The facility, which such an improvement would establish in the vulgar arithmetic, would, in his opinion, be soon and sensibly felt by the mass of the people, who would thereby be enabled to compute for themselves, whatever they should have occasion to buy, sell, or measure, which the present difficult and complicated ratios, for the most part, place beyond their computation. In the event of its being adopted, however, he recommended a gradual substitution of it in practice. A progressive introduction would lessen the inconveniences, which might attend too sudden a substitution, even of an easier, for a more difficult system. After a given term, for instance, it might begin in the custom houses, where the merchants would become familiarized to it. After a further term, it might be introduced into all legal proceedings; and merchants and traders in foreign commodities might be required to use it. After a still further term, all other descriptions of persons might receive it into common use. Too long a postponement, on the other hand, would increase the difficulties of its reception, with the increase of our population.

This report is a curious and learned document, valuable to the statesman and philosopher; though, for the same reasons, not calculated to interest the general reader. It was submitted to Congress on the 13th of July, 1790, and referred to a committee who

reported in favor of the alternative plan of a general reformation, on the principles recommended by the author. But the subject was postponed from session to session, for several years, without receiving a final determination ; and at length, became lost altogether in the crowd of more weighty and important matters. The idea of reducing to a single standard the discordant ratios of coins, weights and measures, has ever since, at different intervals, engaged the attention of learned statesmen in England, France, Spain and America ; but a fear of encountering the difficulties of a change of familiar denominations, with a natural attachment to established usage, has hitherto prevented the introduction of a general uniformity of series, in the systems of either country.

2. The Report of the Secretary of State on the Cod and Whale Fisheries of the United States, is one of those ancient State papers, which, unlike the innumerable multitude that perish with the occasion, seem destined as immortal inheritances to this country. The subject was referred to him by Congress, on the 9th of August, 1790, in consequence of a representation from the Legislature of Massachusetts, setting forth the embarrassments under which these great branches of their business labored, and soliciting the interference of the government in various ways. A very general abstract of this voluminous paper, as in the case of the preceding, is all that can be expected.

The Report commences with an historical review of the Fisheries, from their discovery in 1517, by adventures from Spain and France, through the intermediate stages of their rise and progress, with different nations, down to their present state. In very remote times, the value of the Newfoundland fishery was deemed almost inappreciable. Such was the importance attached to it, in a national point of view, that it was made the subject of an animated rivalry between the great maritime Powers of Europe, for centuries. The business being as unprofitable to the adventurer, as it was important to the public, the patronage of the foreign governments was employed, at an extravagant rate, and in a variety of forms. Great Britain and France vied in the competition by giving such exorbitant bounties to their fishermen, as sensibly affected their treasuries. In 1731, the Americans first engaged in the business ; and, aided by the mere force of natural advantages, by their contiguity to the grounds, the cheapness of their vessels, provisions and casks,

and by the superiority of their mariners in skill, enterprise, and sobriety, they were able to compete successfully with the distant nations, against the united weight of their patronage. But, during the war of the Revolution, the fisheries of the United States were annihilated; their vessels, utensils, and fishermen destroyed; their markets in the Mediterranean and British America lost; their produce duties in those of France; and on the restoration of peace, the British navigation system, falling with tenfold violence on this branch of American commerce, seemed to place its recovery beyond the power of the incipient government.

Such were the hopeless auspices under which this important business was to be resumed. Our natural advantages were great; but on a view of every policy under which it had flourished or declined, with every nation, the fact was sufficiently marked, that it was too poor a business to be left to itself, even with the nation the most advantageously situated. While however experience proved, that no other nation could make a mercantile profit on the Newfoundland fisheries, nor even support them without the aid of large bounties, the author showed, by a long and luminous train of reasoning, that the United States, owing to their natural advantages, could make a living profit on them, provided the government would interfere so far only as to procure a vent for their fish,

“It will rest therefore, with the wisdom of the legislature, to decide, whether prohibition should not be opposed to prohibition, and high duty to high duty, on the fish of other nations; whether any, and which of the naval and other duties, may be remitted, or an equivalent given to the fisherman in the form of a drawback or bounty; and whether the loss of markets abroad may not, in some degree, be compensated by creating markets at home: to which might contribute the constituting fish a part of the military ration, in stations not too distant from navigation, a part of the necessary sea-stores of vessels, and the encouraging private individuals to let the fishermen share with the cultivator, in furnishing the supplies of the table. A habit introduced from motives of patriotism, would soon be followed from motives of taste; and who will undertake to fix the limits to this demand, if it can be once excited, with a nation which doubles, and will continue to double at very short periods?”

The Americans began their Whale Fishery in 1715. They were invited to it at first by the appearance of the whales on their coast. They attacked them in small vessels of forty tons. As the

whale, being infested, retired from the coast, they followed him further and further into the ocean, enlarging their vessels, with their adventures, to sixty, one hundred, and two hundred tons. Having extended their pursuit to the Western Islands, they fell in, accidentally, with the spermaceti whale ; and the distinction now first arose between the northern and southern fisheries, the object of the former being the Greenland whale, which frequented the northern coasts, and that of the latter, the spermaceti whale, which was found in the southern seas. At the commencement of the Revolution the Americans had one hundred and seventy-seven vessels in the northern, and one hundred and thirty-two in the southern fishery.

At that period, our fishery being suspended, the English seized the opportunity of monopolizing the business, by a series of artful measures. They conferred extravagant bounties on their whale ships ; invited the fishermen of the United States to conduct their enterprises ; and prepared the way for effectuating their offer by imposing such a duty on our whale oils as amounted to a prohibition.

The fishermen of the United States, left without resource by the loss of their markets, began to think of accepting the British invitation, and of removing, some to Nova Scotia, others to Great Britain, postponing country and friends to high premiums.

The government of France could not be inattentive to these proceedings. They saw the danger of permitting four or five thousand seamen, the best in the world, to be transferred to the marine strength of a rival nation, and carry with them an art which they possessed almost exclusively. They therefore adopted the plan of extending a counter invitation to American seamen, to remove and settle in Dunkirk, backing their invitation with heavy premiums, and many other advantages. This was in 1785. Mr. Jefferson being then at Paris, endeavored to prevail on the French ministry to vary their policy, first by abating the duties on American oil, and afterwards by closing their ports to all foreign fish oils, of every nation, except the produce of the whale fisheries of the United States. This was accordingly done ; but they continued their endeavors to increase their share in the fisheries themselves, by the aid of our fishermen, and by giving large bounties to their own.

Such was the weight of competition against which the United States had to struggle, for the resumption and continuance of their

whale fisheries. Against prohibitory duties in one nation, and bounties to the adventurers of both of those which were contending with each other for the supremacy, the Americans had nothing to oppose but poverty and rigorous economy. The business, unaided, was a wretched one, but infinitely too important, in a national point of view, to be overlooked by the government. Besides being peculiarly fitted by nature for becoming a source of revenue to the United States, it was a valuable nursery for forming American seamen. On the island of Nantucket alone, which was capable of maintaining, by its agriculture, only about twenty families, between five and six thousand persons were profitably employed in these fisheries before the war.

These considerations rendered it indispensable, in the opinion of the author, that some effectual relief should be administered for reinstating the business upon its ancient basis. And he recommended the interference of the government in three ways—A remission of duties on the articles used in the fisheries—A retaliating duty on foreign oils coming in competition with ours—Free markets abroad, which was the principal object.

France was the only nation which needed our surplus ; and it was important that she should continue to view us, as heretofore, not in the light of rivals, but as co-operators against a common rival. Friendly arrangements with that nation, and accommodations to mutual interest, rendered easier by amicable dispositions on both sides, might long secure to the United States, this important resource for their seamen. Nor was it the interest of the fishermen alone, which called for the cultivation of friendly relations with France. Besides five-eighths of our whale oil, and two-thirds of our salted fish, they received from us one-fourth of our tobacco, three-fourths of our live stock, a considerable and growing portion of our rice, and great supplies, occasionally, of our grain. It was also a free market for our ships and ship-timber, potash and peltry.

England was the market for the greater part of our spermaceti oil ; but they imposed such a duty on all our oils, as, to the common kind, was a prohibition, and to the spermaceti, but little less ; and not long since, by a change of construction, without any change of law, they excluded our oils entirely from their ports, when brought in our own vessels ;

“This serves to show, that the tenure, by which we hold the admission of this commodity in their markets, is as precarious as it is hard. Nor can it be announced, that there is any disposition on their part to arrange this or any other commercial matter, to mutual convenience. The *exparte* regulations, which they have begun, for mounting their navigation on the ruin of ours, can only be opposed by counter regulations on our part. And the loss of seamen, the natural consequence of lost and obstructed markets for our fish and oil, calls, in the first place, for serious and timely attention. It will be too late, when the seaman shall have changed his vocation, or gone over to another interest.”

This sound and energetic Report was submitted to Congress on the 4th of February, 1791. It was accepted, published, and applauded by the great majority of the people. The policy so urgently recommended by Mr. Jefferson, was adopted; and its utility was soon demonstrated, by the restoration to the United States, upon a prosperous and permanent footing, of one of their most important branches of domestic and maritime industry.

The strictures of this Report upon the British commercial and navigation system, and its demonstrations of the more liberal policy of France, though they could not be denied by Great Britain herself, in a single point, received a reluctant assent from the monarchical party in the United States; and served to place more in contrast before the public, the collisions of political sentiment between the heads of the State and Treasury department. This contrast was completed, and the division of sentiment rendered almost as perfect in the public mind, as it existed in the Cabinet, by—

3. The Report of the Secretary of State on Commerce and Navigation. This paper was prepared in pursuance of a resolution of the House of Representatives, passed on the 23d of February, 1791, instructing him to report to Congress the nature and extent of the privileges and restrictions of the commercial intercourse of the United States with foreign nations, and the measures which he should think proper to be adopted for the improvement of their commerce and navigation.

The Report stated the exports of the United States to Great Britain at more than nine millions annually, and the imports from that nation at fifteen millions. The amount of exports to France was only about four and a half millions, and that of imports two millions. Notwithstanding the vast disproportion of our trade, in favor

of England, the restrictions imposed on it by that nation, were far more burthensome and oppressive than those imposed by France.

With respect to the navigation of the United States, our ships, though purchased and navigated by British subjects, were not permitted to be used even in the trade of that nation with us. While the vessels of other nations were secured by a standing law to carry to England any produce or manufactures of the country to which they belonged, which might be lawfully carried in any vessels, ours, with the same prohibition of what was foreign, were further prohibited by a standing law from carrying thither any of our domestic productions and manufactures. A subsequent act authorized the King to permit the carriage of our productions in our own bottoms, at his pleasure, which was given every year by proclamation ; but this was so precarious a tenure, that our vessels were liable every moment to be interdicted from British ports. Our ships paid in their ports more than their own, except in the port of London, where they paid the same. In addition to all this, the greater part of our exports were re-exported from Great Britain to other countries, under the useless charges of a double voyage, and intermediate deposite. Instead, therefore, of supplying their wants merely, we were loading them with surpluses for transportation to other countries, and thus, besides helping them to command the commerce of the world, were pouring into their treasury extravagant duties, which might as well be paid to other nations who received our vessels comparatively free.

With respect to the navigation of the United States to the ports of France, our ships were free to carry thither all goods and productions which might be carried in their own or any other vessels, except tobaccos not of our own growth. Our vessels participated with theirs the *exclusive* carriage of our whale oils and tobaccos ; and they were admitted naturalization in all their ports until lately. They and their Colonies were the actual consumers of what they received from us.

After enumerating the various restrictions on our commerce, in the form of duties on our articles of export, the Report proceeds to recommend the mode in which those restrictions should be removed, modified or counteracted. It proposed two methods : 1. By amicable arrangements, as being the most eligible in all cases, if practica

ble. 2. By countervailing regulations, where friendly arrangements could not be made.

"There can be no doubt but that of these two, friendly arrangement is the most eligible. Instead of embarrassing commerce under piles of regulating laws, duties and prohibitions, could it be relieved from all its shackles in all parts of the world, could every country be employed in producing that which nature has best fitted it to produce, and each be free to exchange with others mutual surpluses for mutual wants, the greatest mass possible would then be produced of those things which contribute to human life and human happiness; the numbers of mankind would be increased, and their condition bettered.

"Would even a single nation begin with the United States this system of free commerce, it would be advisable to begin it with that nation; since it is one by one only, that it can be extended to all. When the circumstances of either party render it expedient to levy a revenue, by way of impost, on commerce, its freedom might be modified, in that particular, by mutual and equivalent measures, preserving it entire in all others. * * *

"But should any nation, contrary to our wishes, suppose it may better find its advantage by continuing its system of prohibitions, duties and regulations, it behooves us to protect our citizens, their commerce and navigation, by counter prohibitions, duties and regulations, also. Free commerce and navigation are not to be given in exchange for restrictions and vexations; nor are they likely to produce a relaxation of them."

The navigation of the United States, in the opinion of the Secretary, involved even higher considerations. As a branch of industry it was valuable; but as a bulwark of defence, indispensable. Its value as a branch of industry was enhanced by the dependence upon it, of so many other branches. In times of peace it multiplied competitors for employment in transportation; in times of war, if we had not the means of transportation, the belligerent nations would monopolize our carrying trade. But as a weapon of defence, it was inestimable. On the land the United States had nothing to fear, but on the ocean they were liable to injury at all times. Their commerce must be protected or lost, and with it, their seamen, ship artists, and establishments.

"Were the ocean, which is the common property of all, open to the industry of all, so that every person and vessel should be free to take employment wherever it could be found, the United States would certainly not set the example of appropriating to themselves, exclusively, any portion of the common stock of occupation. But

if particular nations grasp at undue shares, and more especially, if they seize on the means of the United States to convert them into aliment for their own strength, and withdraw them entirely from the support of those to whom they belong, defensive and protecting measures become necessary on the part of the nation whose marine resources are thus invaded, or it will be disarmed of its defence, its productions will lie at the mercy of the nation which has possessed itself exclusively of the means of carrying them, and its politics may be influenced by those who command its commerce."

After pressing this argument much further, the author proceeds to recommend the principles of retaliation, by which the United States should be governed. And these, he contended, to be effectual, should be exactly reciprocal and equivalent. Where a nation imposes high duties on our productions, or prohibits them altogether, we should do the same in relation to their productions. First, taking those in competition with our own of the same kind; and next, those which we receive from them in great quantities, and can furnish ourselves with the soonest. Where a nation refuses to receive in our vessels any productions but our own, we should retort upon them the same terms. Where a nation refuses to consider any vessel as ours which has not been built in our own territories: or where she refuses to our vessels the carriage of our own productions, to countries under her jurisdiction, we should enact corresponding prohibitions in respect to such nation.

"The establishment of some of these principles by Great Britain, alone, has already lost us in our commerce with that country and its possessions, between eight and nine hundred vessels, of near 40,000 tons burthen, according to statements from official materials, in which they have confidence. This involves a proportional loss of seamen, ship-wrights, and ship-building, and is too serious a loss to admit forbearance of some effectual remedy.

"It is true we must expect some inconveniences in practice from the establishment of discriminating duties. But in this, as in so many other cases, we are left to choose between two evils. These inconveniences are nothing when weighed against the loss of wealth and loss of force, which will follow our perseverance in the plan of indiscrimination. When once it shall be perceived that we are either in the system or in the habit of giving equal advantages to those who extinguish our commerce and navigation by duties and prohibitions, as to those who treat both with liberality and justice, liberality and justice will be converted by all into duties and prohibitions. It is not to the moderation and justice of others we are to trust for fair and equal access to market with our productions

or for our due share in the transportation of them ; but to our own means of independence, and the firm will to use them. Nor do the inconveniences of discrimination merit consideration. Not one of the nations before mentioned, perhaps not a commercial nation on earth is without them. In our case, one distinction alone will suffice—that is to say—between nations who favor our productions and navigation, and those who do not favor them. One set of moderate duties, say the present duties, for the first, and a fixed advance on these as to some articles, and prohibitions as to others, for the last.

“Still it must be repeated that friendly arrangements are preferable with all who will come into them ; and that we should carry into such arrangements all the liberality and spirit of accommodation which the nature of the case will admit.”

This celebrated Report, aside from its intrinsic merits, derives great importance from the consideration, that it established the general principles of foreign policy, which it has been the object of the government to pursue ever since the civil revolution in 1800. It was finished by Mr. Jefferson in the summer of 1792 ; but, anxious that it should be indisputably correct in matters of fact, he retained it in his hands for more than a year, and it was not communicated to Congress until within a few days previous to his resignation. The political consequences which resulted from it, being of a prominent and abiding character, will be more properly considered at that point of time.

The administration of the foreign affairs of the Republic devolving, *ex officio*, on the Secretary of State, the principal mass of his labors emanates from that source. Being the organ of intercommunication between the government and all foreign nations, the preparing and communicating instructions to our ministers, of every grade, at the different courts, and the answering those of foreign ministers, of every grade, resident in the United States, constitute a perpetual routine of arduous and complicated duties. Perhaps there was never a period in our history, in which these duties were more onerous and multiplied, than during the years 1791, '92, and '93. The United States were at issue, on the most delicate points of controversy, with England, France, and Spain ; and finally, the coalition of European despots, against republican France, drove our government into the necessity of maintaining a strict and impartial neutrality towards the belligerent parties—the most difficult posture which this country was ever called on to assume.

With Spain, difficulties had arisen of a serious character. They concerned chiefly the navigation of the Mississippi below our southern limit, the right to which was still unyielded; the settlement of boundaries between the two nations; and the interference, on the part of Spain, with the tribes of Indians in our territories, inciting them to frequent and ferocious depredations on our citizens.

On all these points, the talents and ingenuity of the Secretary of State, were constantly exercised in communicating and enforcing the opinions of the administration. On the subject of the Mississippi, his instructions to our Minister at Madrid, were rigorous and uncompromising. He *insisted* that the United States had a right not only to the unmolested navigation of that river, *to its mouth*, but also to an *entrepot* near thereto, in the dominions of Spain, subject to our jurisdiction exclusively, for the convenience and protection of our commerce. He grounded these rights upon the broad principle of the law of nature, that the inhabitants on both sides of a navigable river, are entitled to the common use and enjoyment of it, to the ocean; and that the right to use a thing comprehends a right to all the means necessary to its use. The peculiar energy and urgency of his official communications, are in unison with the high tone of American feeling, which he carried into every situation, public and private.

“With this information, written and oral, you will be enabled to meet the minister in conversations on the subject of the navigation of the Mississippi, to which we wish you to lead his attention immediately. Impress him thoroughly with the necessity of an early, and even an immediate settlement of this matter, and of a return to the field of negotiation for this purpose: and though it must be done delicately, yet he must be made to understand unequivocally, that a resumption of the negotiation is not desired on our part, unless he can determine, in the first opening of it, to yield the immediate and full enjoyment of that navigation. (I say nothing of the claims of Spain to our territory north of the thirty-first degree, and east of the Mississippi. They never merited the respect of an answer; and you know it has been admitted at Madrid, that they were not to be maintained.) It may be asked, what need of negotiation, if the navigation is to be ceded at all events? You know that the navigation cannot be practised without a port, where the sea and river vessels may meet and exchange loads, and where those employed about them may be safe and unmolested. The right to use a thing, comprehends a right to the means necessary to its use, and without which it would be useless. The fixing on

a proper port, and the degree of freedom it is to enjoy in its operations, will require negotiation, and be governed by events. There is danger indeed, that even the unavoidable delay of sending a negotiator here, may render the mission too late for the preservation of peace. It is impossible to answer for the forbearance of our western citizens. We endeavor to quiet them with the expectation of an attainment of our rights by peaceable means. But should they, in a moment of impatience, hazard others, there is no saying how far we may be led : for neither themselves nor their rights will ever be abandoned by us."

On the subject of the boundaries between the United States and Spain, and the incendiary interference of the latter with the Indians on our territories, the communications of Mr. Jefferson gave a front to the foreign administration of the government, which rivaled the boldest period of the Revolution. He uniformly pressed on our Minister the importance of assuring the Court of Spain, on every occasion, in respectful yet unequivocal terms, that the essential principles in dispute would never be relinquished, preferring always a peaceful redress of grievances, yet fearless of war, if driven to that extremity. Such however was the obstinacy of Spain, and her jealousy of a rising power in the west, which was one day to obliterate her American possessions, that although she deprecated the possibility of war, she artfully parried all attempts at negotiation, and secretly practised her incendiary manœuvring with the Indians. This temporizing and inhuman policy, at length drew forth from Mr. Jefferson a bold and eloquent address to the Court of Spain itself, declaring the ultimate determination of the government, in language equally resolute and conciliatory.

"We love and we value peace ; we know its blessings from experience : unmeddling with the affairs of other nations, we had hoped that our distance and our dispositions, would have left us free, in the example and indulgence of peace with all the world. We had with sincere and particular dispositions, courted and cultivated the friendship of Spain. Cherishing the same sentiments, we have chosen to ascribe the unfriendly insinuations of the Spanish commissioners, in their intercourse with the government of the United States, to the peculiar character of the writers, and to remove the cause from them to their sovereign, in whose justice and love of peace we have confidence. If we are disappointed in this appeal, if we are to be forced into a contrary order of things, our mind is made up, we shall meet it with firmness. The necessity of our position will supersede all appeal to calculation now, as it has done heretofore. We confide in

our own strength, without boasting of it : we respect that of others, without fearing it. If Spain chooses to consider our self defence against savage butchery as a cause of war to her, we must meet her also in war, with regret but without fear ; and we shall be happier to the last moment, to repair with her to the tribunal of peace and reason."

The controversy with Spain, on these several points, was continued with unabated ardor, while Mr. Jefferson remained Secretary of State. The rights in dispute were finally secured by treaty, on the principles contended for by him, except that the right to an entrepot at New Orleans was limited to three years. The principle of free bottoms, free goods, was also recognized ; and the practice of privateering was humanely restrained. These were favorite ideas with Mr. Jefferson. The treaty with Spain was concluded on the 27th of October, 1795.

In the midst of the contest with Spain, the Secretary of State became involved in a diplomatic controversy with Mr. Hammond, Minister Plenipotentiary of Great Britain to the United States. This controversy originated in the inexecution of the treaty of peace ; infractions of which, in various particulars, had been mutually charged, by each upon the other party, ever since the conclusion of the war. Mr. Jefferson directed the attention of the British Minister to the subject, in a pointed manner. He informed him that the British garrisons had not evacuated the western posts, in violation of an express stipulation to that effect in the seventh article, that the British officers had exercised jurisdiction over the country and inhabitants in the vicinity of these posts, that American citizens had been excluded from the navigation of the lakes, and that, contrary to the same article, a great number of negroes, the property of American citizens, had been carried away on the evacuation of New York.

Mr. Hammond replied, by admitting the alleged infractions, but justifying them, on the ground of retaliation, the United States having previously, he declared, violated their engagements, by obstructing the payment of debts justly due to British creditors, and by refusing to make remuneration for repeated confiscations of British property, during and since the war.

To this, Mr. Jefferson rejoined, on the 29th of May, '92, in a masterly communication of more than sixty pages octavo. He re-

viewed the whole ground of the controversy, from beginning to end, sustaining his former positions and overturning those of the British Minister, by such clear and conclusive arguments, as drove his antagonist fairly from the field. He showed that, with respect to property confiscated by the individual States, the treaty merely stipulated, that Congress should *recommend* to the legislatures of the several States, to provide for its restitution. That Congress had done all in their power, and all they were bound by the treaty to do ; that it was left with the States to comply or not, as they might think proper, with the recommendation of Congress, and that this was so understood by the British negotiators, and by the British ministry, at the time the treaty was concluded. He also claimed, that the first infractions were on the part of Great Britain, by retaining the western posts, and the deportation of negroes ; and that the delays and impediments which had taken place, in the collection of British debts, were justifiable on that account.

Hammond never undertook an answer to this communication. After more than a year had elapsed, without hearing any thing from him, Mr. Jefferson invited his attention to the subject, and requested an answer. But Hammond evaded the challenge, alleging as an excuse for his neglect, that he awaited instructions from his government. In this state the matter rested until it became merged in disputes of a more serious character, by the outbreak of a general war in Europe, which changed the political relations of both continents.

Against another pretension on the part of Great Britain, and one which ultimately conduced to the second war with that nation, Mr. Jefferson had the honor of opposing the first formal resistance of our government. This was the impressment of seamen on board American ships, under color of their being British subjects. This custom was peculiar to England ; she had practised it towards all other nations, from time immemorial, but with accumulated rigor towards the United States, since their independence. She claimed the absolute right of going on board American ships, with her press-gangs, and constraining into her service all seamen whatsoever, who could not produce upon the spot, written evidences of their citizenship. The consequence was that American citizens were frequently carried off, and subjected to multiplied cruelties, not only without evidence, but even against evidence. In opposition to this preposter-

ous claim, the Secretary of State proclaimed the determined voice of the government, and authorized a rigorous system of reprisal, unless the practice should be abandoned. He contended that American bottoms should be *prima facie* evidence that all on board were Americans, which would throw the burden of proof, where it ought to be, on those who set themselves up against natural right. Under date of June 11, 1792, he thus writes to our Minister at London :

“We entirely reject the mode which was the subject of a conversation between Mr. Morris and him, [British Minister,] which was, that our seamen should always carry about them certificates of their citizenship. This is a condition never yet submitted to by any nation, one with which seamen would never have the precaution to comply ; the casualties of their calling would expose them to the constant destruction or loss of this paper evidence, and thus, the British government would be armed with *legal authority* to impress the whole of our seamen. The simplest rule will be, that the vessel being American, shall be evidence that the seamen on board her are such. If they apprehend that our vessels might thus become asylums for the fugitives of their own nation from impress-gangs, the number of men to be protected by a vessel may be limited by her tonnage, and one or two officers only be permitted to enter the vessel in order to examine the numbers on board ; but no press-gang should be allowed ever to go on board an American vessel, till after it shall be found that there are more than their stipulated number on board, nor till after the master shall have refused to deliver the supernumeraries (to be named by himself) to the press-officer who has come on board for that purpose ; and, even then, the American Consul should be called in. In order to urge a settlement of this point, before a new occasion may arise, it may not be amiss to draw their attention to the peculiar irritation excited on the last occasion, and the difficulty of avoiding our making immediate reprisals on their seamen here.”

On the subject of impressment, Mr. Jefferson's own private opinion was, that American bottoms should be *conclusive* evidence that all on board were American citizens, inasmuch as the right of expatriation was a natural right, the free enjoyment of which no nation had the authority to molest, with respect to any other nation, unless by special and mutual agreement. But the administration were not prepared, at this time, to carry their resistance to the principle, further than was necessary for the protection of their own seamen, without affording an asylum for others.

The combination of European despots against the republic of France, in 1793, placed the United States in a new, and to them, inexperienced position. The situation of a neutral nation is always delicate and embarrassing ; but peculiarly so, when it is connected with the belligerent parties by extensive commercial relations, and when its subjects are divided by powerful political partialities and antipathies towards the Powers at war. This was precisely the situation of the United States. One universal feeling of indignation at the interference of England and her allies, with the revolutionary struggle of France, pervaded the whole republican party in America ; and nothing but the extraordinary firmness and prudence of their leader, backed of course, on this occasion, by the whole weight of the administration, could have prevented the generous enthusiasm of the nation from embroiling the government in the foreign conflict, and from plunging its citizens into a ferocious and bloody war with each other.

The phrenzy of the popular excitement in favor of France, was greatly increased by the intemperate character of the minister of the French republic, Mr. Genet. No sooner had this gentleman arrived in the United States, than, presuming on the state of public feeling, he began the design of forcing them to become a party to the war, by an extraordinary course of proceedings. He landed on the 8th of April, 1793, at Charleston, a port so remote from his points, both of departure and destination, as to excite attention ; and instead of proceeding directly to Philadelphia, and presenting his credentials to the President, he remained in Charleston five or six weeks. While there, he was constantly engaged in authorizing the fitting and arming vessels in that port, enlisting men, foreigners and citizens, and giving them commissions to cruise and commit hostilities on the nations at war with France. These vessels were taking and bringing prizes into our ports ; and the Consuls of France, by his direction, were assuming to hold courts of admiralty on them, to try, condemn, and authorize their sale as legal prize. All this was done and doing before Mr. Genet had been received and accredited by the President, without his consent or consultation, in defiance of an express proclamation by the government, and in palpable contravention of the law of nations. These proceedings immediately called forth from the British Minister several memorials thereon ; to which Mr. Jefferson replied, on the 15th of May, condemning, in

the highest degree, the transactions complained against, and assuring the British Minister that the United States would take the most effectual measures to prevent their repetition. Mr. Genet reached Philadelphia the next day. His progress through the country had been triumphal; and he was received at Philadelphia amidst the plaudits and acclamations of the people. On his presentation to the President, he assured him that on account of the remote situation of the United States, and other circumstances, France did not expect them to become a party in the war, but wished to see them preserve their prosperity and happiness in peace. But in a conference with the Secretary of State, soon after his reception, he alluded to his proceedings at Charleston, and expressed a hope that the President had not absolutely decided against them. He added, that he would write the Secretary a note, justifying his conduct under the treaty between the two nations; but if the President should finally determine otherwise, he must submit, as his instructions enjoined him to do what was agreeable to the Americans.

In pursuance of his intimation, he addressed a letter to the Secretary of State, on the 27th of May, in which it appeared that he was far from possessing a disposition to acquiesce in the decisions of the government. This letter laid the foundation of a correspondence, which is confessedly unparalleled in the annals of diplomacy. The communications of Mr. Jefferson embody a complete system of national law, as applicable to the rights and obligations of neutral nations, and present an invaluable commentary on the logic and the legal interpretation of treaties. For elegance and dignity of composition, for coolness and energy of reasoning, for the godlike chastity of purpose, with which they repelled the glowing and seductive appeals of a beloved and persecuted nation, and above all, for that more than Roman firmness with which they resisted the torrent of sympathetic enthusiasm which poured from the hearts of his own countrymen, these papers will forever remain a monument to the genius, wisdom, and self-denying patriotism of the author. They embrace in themselves a volume of the American State-papers; and a mere outline of them, would exceed the limits prescribed to this. Aside from their momentous applicancy to the occasion, they derive additional importance from the consideration, that they formed the commencement, and the true exposition of that system of policy to which the United States have inflexibly adhered, through

every season in which the warring Powers of the earth have placed them in the predicament of a neutral nation. As a circumstance of some curiosity, if not of some weight, it might be added, that Mr. Jefferson's controversy with Genet, was the first of two transactions only in his political life, which received the open and avowed approbation of the federalists as a party.

The communications of Genet, on the other hand, were a tissue of inflammatory declamation, and indignity. To the reasonings of Mr. Jefferson on the obligations of the United States, to observe an impartial neutrality towards all the belligerent parties, he applied the epithet of "diplomatic subtelties." And when he sustained the principles advanced by him, by quotations from Vattel, and other approved jurisconsults, Genet called them "the aphorisms of Vattel," &c. "You oppose," said he, "to my complaints, to my just reclamations, upon the footing of right, the private or public opinion of the President of the United States; and this egis not appearing to you sufficient, you bring forward aphorisms of Vattel, to justify or excuse infractions committed on positive treaties." And he added, "do not punish the brave individuals of your nation who arrange themselves under our banner, knowing perfectly well, that no law of the United States gives to the government the sole power of arresting their zeal, by acts of rigor. The Americans are free; they are not attached to the glebe, like the slaves of Russia; they may change their situation when they please, and by accepting at this moment the succor of their arms in the habit of trampling on tyrants, we do not commit the plagiat of which you speak. The true robbery, the true crime would be to enchain the courage of these good citizens, of these sincere friends of the best of causes." At other times he would address himself to the political feelings of Mr. Jefferson himself, whom he had been induced to consider his personal friend, and who, he said, "had initiated him into mysteries which had inflamed his hatred against all those who aspire to an absolute power."

During the whole time, also, Mr. Genet was industriously engaged in disseminating seditious addresses among the people, and attempting, by every means in his power, to inflame their passions already sufficiently excited, and induce them to arise in arms against the enemies of France. What an ungenerous moment

was this, to put to the test the sensibilities of the American people for their brave and beloved ally ?

Finally, after a controversy of several months, in the whole course of which, the mingled effusions of arrogance and intemperance, were opposed to a moderation and forbearance which could not be betrayed into a single undignified expression, the American government came to the determination of desiring the recall of Mr. Genet. This delicate duty was executed by Mr. Jefferson, and in a manner which has doubtless united more suffrages in its favor, taking the world at large, than any other diplomatic performance on record. On the 16th of August, 1793, he addressed a letter to Mr. Morris, the Minister of the United States at Paris, containing an epitome of the whole correspondence, on both sides, assigning the reasons which rendered necessary the recall of Mr. Genet, and directing the case to be immediately laid before his government.

This celebrated letter is an essay of sixteen pages, octavo. It were vain to attempt a satisfactory analysis of its contents. To a full and dispassionate review of the transactions of Mr. Genet, and an unanswerable vindication of the principles upon which the administration had conducted itself in the controversy, assurances were added of an unwavering attachment to France, expressed in such terms of unaffected sensibility, as to impress the most callous with the sincerity of the heart from which they flowed. The concluding paragraphs are too remarkable not to require an insertion.

After introducing a series of quotations from Mr. Genet's correspondence, which he deemed too offensive to be translated into English, or to merit a commentary, the author proceeded in the following dignified strain :

“ We draw a veil over the sensations which these expressions excite. No words can render them ; but they will not escape the sensibility of a friendly and magnanimous nation, who will do us justice. We see in them neither the portrait of ourselves, nor the pencil of our friends ; but an attempt to embroil both ; to add still another nation to the enemies of his country, and to draw on both a reproach, which it is hoped will never stain the history of either. The written proofs, of which Mr. Genet was himself the bearer, were too unequivocal to leave a doubt that the French nation are constant in their friendship to us. The resolves of their National Convention, the letters of their Executive Council attest this truth, in terms which render it necessary to seek in some other hypothesis, the solution of Mr. Genet's machinations against our peace and friendship.

"Conscious, on our part, of the same friendly and sincere dispositions, we can with truth affirm, both for our nation and government, that we have never omitted a reasonable occasion of manifesting them. For I will not consider as of that character, opportunities of sallying forth from our ports to way-lay, rob, and murder defenceless merchants and others, who have done us no injury, and who were coming to trade with us in the confidence of our peace and amity. The violation of all the laws of order and morality which bind mankind together, would be an unacceptable offering to a just nation. Recurring then only to recent things, after so afflicting a libel we recollect with satisfaction, that in the course of two years, by unceasing exertions, we paid up seven years' arrearages and instalments of our debt to France, which the inefficiency of our first form of government had suffered to be accumulating: that pressing on still to the entire fulfilment of our engagements, we have facilitated to Mr. Genet the effect of the instalments of the present year, to enable him to send relief to his fellow citizens in France, threatened with famine: that in the first moment of the insurrection which threatened the colony of St. Domingo, we stepped forward to their relief with arms and money, taking freely on ourselves the risk of an unauthorized aid, when delay would have been denial: that we have received, according to our best abilities, the wretched fugitives from the catastrophe of the principal town of that colony, who, escaping from the swords and flames of civil war, threw themselves on us naked and houseless, without food or friends, money or other means, their faculties lost and absorbed in the depth of their distresses: that the exclusive admission to sell here the prizes made by France on her enemies, in the present war, though unstipulated in our treaties, and unfounded in her own practice or in that of other nations, as we believe; the spirit manifested by the late grand jury in their proceedings against those who had aided the enemies of France with arms and implements of war; the expressions of attachment to his nation, with which Mr. Genet was welcomed on his arrival and journey from south to north, and our long forbearance under his gross usurpations and outrages of the laws and authority of our country, do not bespeak the partialities intimated in his letters. And for these things he rewards us by endeavors to excite discord and distrust between our citizens and those whom they have entrusted with their government, between the different branches of our government, between our nation and his. But none of these things, we hope, will be found in his power. That friendship which dictates to us to bear with his conduct yet a while, lest the interests of his nation here should suffer injury, will hasten them to replace an agent, whose dispositions are such a misrepresentation of theirs, and whose continuance here is inconsistent with order, peace, respect, and that friendly correspondence which we hope will ever subsist between the two nations.

His government will see too that the case is pressing. That it is impossible for two sovereign and independent authorities to be going on within our territory at the same time without collision. They will foresee that if Mr. Genet perseveres in his proceedings, the consequences would be so hazardous to us, the example so humiliating and pernicious, that we may be forced even to suspend his functions before a successor can arrive to continue them. If our citizens have not already been shedding each other's blood, it is not owing to the moderation of Mr. Genet, but to the forbearance of the government.

“Lay the case then immediately before his government. Accompany it with assurances, which cannot be stronger than true, that our friendship for the nation is constant and unabating; that faithful to our treaties, we have fulfilled them in every point to the best of our understanding; that if in any thing, however, we have construed them amiss, we are ready to enter into candid explanations, and to do whatever we can be convinced is right; that in opposing the extravagances of an agent, whose character they seem not sufficiently to have known, we have been urged by motives of duty to ourselves and justice to others, which cannot but be approved by those who are just themselves; and finally, that after independence and self-government, there is nothing we more sincerely wish than perpetual friendship with them.”

This impressive appeal to the justice and magnanimity of France, was successful. Genet was recalled, and his place supplied by Mr. Fauchet, who arrived in the United States in February, 1794.

On the last day of December, 1793, Mr. Jefferson resigned the office of Secretary of State, and retired from political life. This was not a sudden resolution on his part; nor an unexpected event to his country. The political disagreement between himself and the Secretary of the Treasury, added to his general disinclination to office, was the cause of his retirement. This disagreement, originating in a fundamental difference of opinion, was aggravated by subsequent collisions in the cabinet, was reflected back upon the people, and aggravated, in turn, the agitations and animosities between the republicans and federalists, of which they were respectively the leaders.

On his first introduction upon the political theatre in New York, the general appearance of things, it will be recollected, inspired Mr. Jefferson with distressing presages of the course which the administration would take, and of the result of his connection with it. The pompous levees of the President, forced on him by the high-

flying aristocracy with which he was surrounded, the evening parties of the Vice President, Secretary of War, and others, which were flaming imitations of the pageantry and sycophantry of royalism ; and above all, the general tone of the table conversations, in which a preference of kingly over republican government was evidently the favorite sentiment, filled him with indescribable wonder and mortification. Then followed those scenes of corruption in the Legislature, and of gambling in the public paper, through the country, over which every lover of his country must weep, as the first and foulest stains upon her political escutcheon. Then came the National Bank, with the eternal precedent fixed upon us, of legislative expositions of the constitution subservient to the will and pleasure of the majority in place,—then the excise law, and the commencement of a system of internal taxation, which is the peculiar opprobrium of despotism.

No sooner had these measures passed, by which the course of administration was clearly indicated, than Mr. Jefferson came to the determination of relinquishing his connection with the government. Having discovered in a letter from the President, while on a journey to the south, that he intended to resign the administration at the end of his first term, he decided on making that the date of his own retirement. This resolution was formed so early as April, 1791 ; and first communicated to the President in February, 1792. The intelligence came like a shock on the mind of General Washington. He had long been aware of the fatal schism in his cabinet, and had labored with unceasing anxiety, to effect a reconciliation ; but that this unhappy circumstance should bring on the retirement of either party, was a calamity which he was not prepared to expect. Washington loved Jefferson ; he almost revered his talents ; and, as a man and private counsellor, had more confidence in him than any other human being. The private conversations held between these two great public servants, at different periods during their official connection, attest the sincerity of their attachment to each other, and the fervor of their devotion to country. While both were incessantly sighing for retirement, each endeavored to dissuade the other from it, as an irremediable public calamity.

These several conversations, which place the characters of both in a most amiable and interesting light, shall be grouped together,

their substance faithfully stated, and nearly in the language in which they were uttered. The first of them was on the 29th of February, 1792. The President had invited Mr. Jefferson to breakfast with him; and after conducting him to a private room, said, in an affectionate tone, that he had felt much concern at an expression which dropped from him yesterday, and which indicated an intention of retiring when he should. That as to himself, many motives obliged him to it. He had, through the whole course of the war, and most particularly at the close of it, uniformly declared his resolution never to act again in any public station; that he had already twice retired under that firm resolution; that were he to continue longer in public life it might give occasion to say, that having tasted the sweets of office, he could not subsist without them. That he really felt himself growing old, his bodily health less firm, his memory, always bad, becoming worse, and perhaps the other faculties of his mind showing a decay to others, of which he was insensible himself; that this apprehension particularly oppressed him; that he found, moreover, his activity lessened, business more irksome, and tranquillity become an irresistible passion. That he did not believe his presence necessary, since there were so many other characters who would do the business as well or better. That however much he felt himself obliged, for these reasons, to retire, he should consider it as unfortunate if that event should bring on the retirement of the great officers of the government; and that this might produce a shock on the public mind of dangerous consequence.

Mr. Jefferson told him, that no man had ever had less desire of entering into public offices than himself; that the circumstance of a perilous war, which brought every thing into danger, and called for all the services which every citizen could render, had induced him to undertake the administration of the government of Virginia; that he had both before and after refused repeated appointments of Congress to go abroad in that sort of office, which, if he had consulted his own gratification, would always have been most agreeable to him; that on resigning the government of Virginia, at the end of two years, he had retired with a firm resolution never more to appear in public life. That a domestic loss, however, occurred, which made him fancy that a temporary absence and change of scene would be expedient for him; that he consequently accepted

a foreign appointment, limited to two years ; at the close of which, Dr. Franklin having left France, he had consented to supply his place, and though he continued in it for three or four years, it was under the constant idea of remaining only a year or two longer ; that the Revolution in France coming on, he had so interested himself in the event of it, that when obliged to bring his family home, he had still an idea of returning and awaiting the close of that, to fix the era of his final retirement. That on his arrival here, he found he had been appointed to his present office, which he accepted with reluctance, and with a firm resolution of indulging his constant wish of retirement at no very distant day ; that when therefore he had received a letter of the President, of April 1st, 1792, and discovered from an expression in that, his intention of retiring at the end of his first term, his mind was made up to make that the epoch of his own retirement from those labors of which he was heartily tired. That, however, he did not believe there was any idea in either of his brethren in the administration of retiring ; that, on the contrary, he had perceived at a late meeting of the trustees of the sinking fund, that the Secretary of the Treasury had developed the plan he intended to pursue, and that it embraced years in its view.

The President said, that he considered the Treasury department as a much more limited one, going only to the single object of revenue, while that of Secretary of State, embracing nearly all the objects of administration, was much more important, and the retirement of Mr. Jefferson, therefore, would be more sensibly felt ; that though the government had set out with a pretty general good will of the public, symptoms of dissatisfaction had lately shown themselves far beyond what he could have expected, and to what height they might arise, in case of two great a change in the administration, could not be foreseen ; that he thought it important to preserve the check of *his* opinions particularly, in the administration, in order to keep things in their proper channel. That with respect to the existing causes of public uneasiness, he thought there were suspicions against a particular party, which had been carried a great deal too far ; there might be *desires*, but he did not believe there were *designs* to transform the government into a monarchy ; that the main body of the people in the Eastern States were as steadily for republicanism as in the Southern ; that the constitution we had was

an excellent one, if we could keep it where it was ; that it was indeed supposed there was a party who wished to change it into a monarchical form, but that he could conscientiously declare there was not a man in the United States, who would set his face more decidedly against it than himself. [Here Mr. Jefferson interrupted him by saying : ‘No rational man in the United States suspects you of any other disposition ; but there does not pass a week, in which we cannot prove declarations dropping from the monarchical party, that our government is good for nothing, is a milk and water thing which cannot support itself, we must knock it down, and set up something of more energy.’] The President said, if that was the case, he thought it a proof of their insanity, for that the republican spirit of the Union was so manifest and so solid, it was astonishing how any one could expect to move it. He proceeded to express his earnest wish that himself and Hamilton could coalesce in the measures of the government ; that he had proposed the same thing to Hamilton, who had expressed his readiness. He reiterated his extreme wretchedness in office, went lengthily into the newspaper attacks upon him for levees, &c. explained how he had been entrapped into them by the persons he consulted in New York, and declared if he could but know what the sense of the public was, he would most cheerfully conform to it. He expressed his grief at the opposition which had arisen to the administration, and considered it an opposition to himself ; that though indeed he had signed many acts which he did not approve in all their parts, yet he had never put his name to one which he did not think, on the whole, was eligible. That as to the bank, a difference of opinion ought to be tolerated, until there was some infallible criterion of reason. He said not a word on the corruption of the legislature, but defended the assumption, and justified the excise law. He did not believe the discontents had extended far from the seat of government, but if they were more extensive than he supposed, it might be, that the desire for his remaining in the government was not general ; and he wished to be better informed on this head.

Mr. Jefferson replied, that in his opinion there was only a single source of these discontents. Though they had indeed appeared to spread themselves over the War department also, yet he considered that as an overflowing only from their real reservoir, to wit, the Treasury department. That a system had there been contrived,

for deluging the States with paper money, for withdrawing our citizens from the pursuits of commerce, manufactures, and other branches of useful industry, to occupy themselves and their capitals in a species of gambling, destructive of morality, and which had insinuated its poison into the government itself. That it was a fact as certainly known, as that they were then conversing, that particular members of the legislature, while those laws were on the carpet, had feathered their nests with paper, had then voted for the laws, and constantly since lent all the energy of their talents, and instrumentality of their offices, to the establishment and enlargement of this system; that they had chained it about our necks for a great length of time, and in order to keep the game in their hands, had, from time to time, aided in making such legislative constructions of the constitution, as made it a very different thing from what the people thought they had submitted to; that they had now brought forward a proposition far beyond any one ever yet advanced, and to which the eyes of many were turned, as the decision which was to let us know whether we live under a limited or an unlimited government. He alluded to a proposition in the report on manufactures, which, under color of giving *bounties* for the encouragement of particular manufactures, meant to establish the doctrine, that the power given by the constitution to collect taxes to provide for the *general welfare*, permitted Congress to take every thing under their management which *they* should deem for the *public welfare*; consequently, that the subsequent enumeration of their powers was not the description to which resort must be had, and did not at all constitute the limits of their authority; that this was a very different question from that of the bank, which was thought an incident to an enumerated power. He observed, that though the people were sound, there was a numerous sect who had monarchy in contemplation, and that the Secretary of the Treasury was one of these. That he had heard him say our constitution was a shilly-shally thing, of mere milk and water, which could not last, and was only good as a step to something better. That when we reflected, that he had endeavored in the Convention to make an English constitution of it, and when failing in that, we saw all his measures tending to bring it into the same form, it was natural for him to be jealous; and particularly, when we saw that these measures had established corruption in the legislature, where

there was a squadron devoted to the nod of the Treasury, doing whatever he had directed, and ready to do what he should direct. That if the equilibrium of the three great bodies, legislative, executive and judiciary, could be preserved, if the legislature could be kept independent, he should never fear the result of our government ; but that he could not be otherwise than uneasy, when he saw that the executive had swallowed up the legislative branch. As to the establishment of our credit, the vaunted object of the financial system, &c. all that was necessary for this purpose, was an efficient government and an honest one, declaring it would sacredly pay its debts, laying taxes for this purpose and applying them to it. He enforced the great topic of all his conversations and his letters, to wit, the importance of the President's continuing in office another term ; that his presence was absolutely necessary ; that he was the only man in the United States, who possessed the confidence of the whole ; that the government was founded in opinion and confidence, and the longer he remained, the stronger would become the habits of the people in submitting to it, and thinking it a thing to be maintained ; that there was no other person, who would be thought any thing more than the head of a party. That the discontents, which were more extensive than the President supposed, were not directed against him, but against the subordinate members of the administration ; that these discontents had, indeed, spread over the whole South ; that they were grounded on seeing their judgments and interests sacrificed to those of the Eastern States, on every occasion, and their belief that it was the effect of a mercenary squadron in Congress, at the command of the Treasury. That as to himself the same reasons did not operate to demand his continuance in the administration ; that his concurrence was of much less importance than the President seemed to imagine ; that he kept himself aloof from all cabal and correspondence on the subject of the government, and saw and spoke with as few as he could. That as to a coalition with Mr. Hamilton, if by that was meant, that either was to sacrifice his general system to the other, it was impossible. They had both, undoubtedly, formed their conclusions after the most mature consideration, and principles conscientiously adopted, could not be relinquished on either side. His devout wish and prayer was, to see both Houses of Congress cleansed of all persons interested in the bank or public stocks ; and that a pure Legisla-

ture being given to the country, he should always be ready to acquiesce under their determinations, even if contrary to his own opinions ; for that he subscribed to the principle that the will of the majority, honestly expressed, should give the law.*

On the 6th of August, 1793, the President called on Mr. Jefferson at his house in the country. He had received a letter from him, of July 31st, announcing his intention of resigning at the close of the following month ; and he made that letter the painful subject of his visit. He now expressed his repentance at not having resigned himself,† and how painfully it was increased by seeing that he was to be deserted by those on whose aid he most counted ; that he did not know where he should look to find characters to fill the offices ; that mere talents did not suffice for the department of State, but it required a person conversant in foreign affairs, and acquainted with foreign courts ; that Colonel Hamilton had a few weeks before written to him, informing that private as well as public reasons had brought him to the determination of retiring, and that he should do it towards the close of the next session. He expressed great apprehensions at the fermentation which seemed to be working in the public mind ; that many descriptions of persons, actuated by different causes, appeared to be uniting ; what it would end in he knew not ; a new Congress was to assemble, more numerous, perhaps of a different spirit ; the first expressions of their sentiment would be important ; if Mr. Jefferson would only continue with him to the end of that, it would relieve him considerably.

Mr. Jefferson expressed to him, in addition to his excessive repugnance to public life, the particular uneasiness of his present situation, where the laws of society obliged him always to move exactly in the circle which he knew to bear him peculiar hatred ; to wit, among the wealthy aristocrats, the merchants connected closely with England, the new created paper fortunes ; that thus surrounded, his words were caught, multiplied, misconstrued, and even

* Ana.

† His first term had expired on the 4th of March, 1793. Having consented to a re-election, at the earnest solicitations of all parties, he again received the unanimous vote of the nation. Mr. Adams was also re-elected Vice-President, but not with equal unanimity. Of one hundred and thirty-two votes, Mr. Adams had seventy-seven, and Geo. Clinton of N. York, the republican candidate, fifty. The States of Virginia, New-York, North Carolina, and Georgia, were unanimous for Mr. Clinton. Kentucky could not forget the great protector of the West, and gave her vote for Mr. Jefferson, although he was not a candidate.

fabricated and spread abroad to his injury ; that he saw also there was such an opposition of views between himself and another part of the administration, as to render it peculiarly displeasing, and to destroy the necessary harmony ; that he believed the next Congress would attempt nothing material, but to render their own body independent ; that the republican party, so far as his knowledge extended, were firm in their dispositions to support the present frame of government ; and that on the whole, no crisis existed, which threatened any danger.

The President entreated him to remain in until the end of another quarter, the last of December ; which would carry them through the difficulties of the present year, by which time he was satisfied the affairs of Europe would be settled ; either France would be overwhelmed by the Confederacy, or the latter would give up the contest. By that time, too, Congress would have manifested its character. He went lengthily into the difficulties of naming a successor, canvassed the characters of various conspicuous personages, without being satisfied with any of them, except Mr. Madison, whom he despaired of obtaining ; and concluded, by earnestly desiring Mr. Jefferson to take time and consider whether he could not continue with him another quarter ; for that, like a man going to the gallows, he was anxious to put it off as long as he could ; but if he persisted, he must then look about him, and do the best he could towards providing a successor.*

With the last pressing solicitation of the President, Mr. Jefferson at length complied ; and accordingly postponed his resignation until the last day of the year, 1793, as before stated. The political effects upon the government of the United States, of the retirement of this minister, realized the worst apprehensions of General Washington. They even verified the worst predictions of the opponents of the administration. They broke out wildly, and spread themselves with accumulative and disastrous potency, through the remaining period of the eighteenth century ; when they were suddenly brought to a stand by the triumphant interposition of the people, in a peaceable and constitutional way. Some developments of that dark history, which have been left by Mr. Jefferson, will appear in the succeeding chapter. Meanwhile, the following para-

* Ana.

graph, extracted from his private papers, will not be thought irrelevant or uninteresting.

“From the moment of my retiring from the administration, the federalists got unchecked hold of General Washington. His memory was already sensibly impaired by age, the firm tone of mind for which he had been remarkable, was beginning to relax, its energy was abated, a listlessness of labor, a desire for tranquillity had crept on him, and a willingness to let others act, and even think for him. Like the rest of mankind, he was disgusted with atrocities of the French revolution, and was not sufficiently aware of the difference between the rabble who were used as instruments of their perpetration, and the steady and rational character of the American people, in which he had not sufficient confidence. The opposition too, of the republicans to the British treaty, and the zealous support of the federalists in that unpopular but favorite measure of theirs, had made him all their own. Understanding, moreover, that I disapproved of that treaty, and copiously nourished with falsehoods by a malignant neighbor of mine, who ambitioned to be his correspondent, he had become alienated from myself personally, as from the republican body generally of his fellow citizens; and he wrote the letters to Mr. Adams and Mr. Carroll, over which, in devotion to his imperishable fame, we must for ever weep as monuments of mortal decay.”

CHAPTER XL

The history of the United States from the commencement of the year 1794, to the memorable epoch of 1800, is a history of unremitting struggles between the advocates of monarchy and republicanism.

This political drama, of which the present recollection is but as a dream of the night, was scarcely less terrible in its course, or less momentous in its consequences, than the *internal* conflict of the Revolution. The latter, by an unexampled exertion of moral agency, revolutionized the government from a monarchical to a republican structure; the former, by the instrumentality of the same peaceable power, against the same political antagonists, saved it from retrograding into its original deformity. That this was the real ground and nature of the contest, is too notorious to be controverted. Without resorting to the private revelations of a principal

actor,* touching the secret transactions of the government, and the avowed opinions of its predominant agents, or without recurring to the newspaper conflagrations of that tempestuous season, the public and written history of the United States abounds with satisfactory testimony on this point.

The third Congress of the United States, the political character of which had been anticipated with great alarm by the monarchical party, and with some uneasiness by the President, assembled on the 3d of December, 1793. Notwithstanding the atrocious turn of the French Revolution, with which the republican party had become identified, from their sympathy in its *principles* only, the last elections had secured a republican majority in the popular branch of the Legislature; but, as corruption had become the established principle, at head quarters, the majority was too small not to be easy of debauchery, on questions of vital importance to the party which preponderated in the administration. The political character of the Senate remained essentially unaltered.

At this session, it will be recollected, the celebrated Report of Mr. Jefferson on Commerce and Navigation, was submitted to Congress. The comparative expose which this document presented, of the state of our relations with England and France, displayed in such vivid and incontrovertible contrast the conduct of those governments towards the United States, as had an electric effect upon the elements of the two political parties. The monarchists, who were chained in theory to the British Constitution, and embarked in the design of assimilating ours to that, whose feelings and interests were essentially British, considered the Report as an insidious attack upon their patron nation, and an unmanly truckling to France. The republicans, on the other hand, were gratified at seeing a true exposition of our foreign relations held up to the view of the nation; and they espoused with ardor the principle of commercial discrimination recommended by the author.

This principle had been a favorite one with Mr. Jefferson, from the origin of the government. In his letters to America, while in France, he had constantly and most strenuously enforced the idea. To make the interest of every nation on the globe, stand surety for its justice to us, and to make injury to them follow injury to us, in

* Jefferson's *ANA*, which abounds in irresistible proofs on this head.

equal degree, and as surely as effect follows its cause, was his first, and uniform doctrine through life. With respect to the British government, in particular, his opinion was, that nothing would force them to do justice, but the loud voice of their people, and that this could only be excited by distressing their commerce. Besides, it would argue injustice, not to say ingratitude, on our part, to admit every nation to an equal participation in the benefits of our commerce, whilst one loaded us with freedoms, liberalities and courtesies, and another with burthens, prohibitions and execrations. This was precisely the case as between England and France. In a letter to Mr. Madison, dated Paris, 1789, Mr. Jefferson wrote :

“When of two nations, the one has engaged herself in a ruinous war for us, has spent her blood and money to save us, has opened her bosom to us in peace, and received us almost on the footing of her own citizens, while the other has moved heaven, earth, and hell to exterminate us in war, has insulted us in all her councils in peace, shut her doors to us in every part where her interests would admit it, libeled us in foreign nations, endeavored to poison them against the reception of our most precious commodities ; to place these two nations on a footing, is to give a great deal more to one than to the other, if the maxim be true, that to make unequal quantities equal, you must add more to one than the other. To say, in excuse, that gratitude is never to enter into the motives of national conduct, is to revive a principle which has been buried for centuries, with its kindred principles of the lawfulness of assassination, poison, perjury, &c. All of these were legitimate principles in the dark ages which intervened between ancient and modern civilization, but exploded and held in just horror in the eighteenth century. I know but one code of morality for men, whether acting singly or collectively. He who says I will be a rogue when I act in company with a hundred others, but an honest man when I act alone, will be believed in the former assertion, but not in the latter.”

His ideas on commerce, and the line of conduct proper to be observed towards France and England, are stated more at length in a letter to Elbridge Gerry, about this time :

“I do sincerely wish with you, that we could take our stand on a ground perfectly neutral and independent towards all nations. It has been my constant object through my public life : and with respect to the English and French, particularly, I have too often expressed to the former my wishes, and made to them propositions, verbally and in writing, officially and privately, to official and private characters, for them to doubt of my views, if they could be content with equality. Of this they are in possession of several

written and formal proofs, in my own hand-writing. But they have wished a monopoly of commerce and influence with us ; and they have in fact obtained it. When we take notice that theirs is the workshop to which we go for all we want ; that with them centre either immediately or ultimately all the labors of our hands and lands ; that to them belongs either openly or secretly the great mass of our navigation ; that even the factorage of their affairs here, is kept to themselves by factitious citizenships ; that these foreign and false citizens now constitute the great body of what are called our merchants, fill our sea-ports, are planted in every little town and district of the interior country, sway every thing in the former places by their own votes, and those of their dependents, in the latter, by their insinuations and the influence of their ledgers ; that they are advancing fast to a monopoly of our banks and public funds, and thereby placing our public finances under their control ; that they have in their alliance the most influential characters in and out of office ; when they have shown that by all these bearings on the different branches of the government, they can force it to proceed in whatever direction they dictate, and bend the interests of this country entirely to the will of another ; when all this, I say, is attended to, it is impossible for us to say we stand on independent ground, impossible for a free mind not to see and to groan under the bondage in which it is bound. If any thing after this could excite surprise, it would be that they had been able so far to throw dust in the eyes of our own citizens, as to fix on those who wish merely to recover self government the charge of subserving one foreign influence because they resist submission to another. But they possess our printing presses, a powerful engine in their government of us. At this very moment [1797] they would have drawn us into a war on the side of England, had it not been for the failure of her bank. Such was their open and loud cry, and that of their gazettes, till this event. After plunging us in all the broils of the European nations, there would remain but one act to close our tragedy, that is, to break up our Union ; and even this they have ventured seriously and solemnly to propose and maintain by arguments in a Connecticut paper. I have been happy, however, in believing, from the stifling of this effort, that that dose was found too strong, and excited as much repugnance there as it did horror in the other parts of our country. and that whatever follies we may be led into as to foreign nations. we shall never give up our Union, the last anchor of our hope, and that alone which is to prevent this heavenly country from becoming an arena of gladiators. Much as I abhor war, and view it as the greatest scourge of mankind, and anxiously as I wish to keep out of the broils of Europe, I would yet go with my brethren in these, rather than separate from them. But I hope we may still keep clear of them, notwithstanding our present thralldom, and that time may be given us to reflect on the awful crisis we have passed

through, and to find some means of shielding ourselves in future from foreign influence, political, commercial, or in whatever other form it may be attempted. I can scarcely withhold myself from joining in the wish of Silas Deane, that there were an ocean of fire between us and the old world."

The sentiment of these letters was precisely in unison with Mr. Jefferson's commercial Report; and for this he was accused of servility to France, pronounced the High Priest of jacobinism, and branded with every epithet of scurrility, which the genius of vituperation could invent!

On the 4th of January, 1794, the House resolved itself into a committee of the whole, on the report of the Secretary of State relative to the privileges and restrictions of the commerce of the United States; when Mr. Madison arose, and, after some prefatory observations, submitted a series of resolutions for the consideration of the members.

These celebrated resolutions were predicated on the principle of commercial discrimination, and embraced the complete idea of Mr. Jefferson's Report. They imposed an additional duty on the manufactures, and on the tonnage of vessels, of nations having no commercial treaty with the United States; reduced the duties already imposed by law on the tonnage of vessels belonging to nations having such commercial treaty; and reciprocated the restrictions which were imposed on American navigation. The last of the resolutions declared, that provision ought to be made, for ascertaining the losses sustained by American citizens, from the operation of particular regulations of any country, contravening the law of nations; and that these losses be reimbursed, in the first instance, out of the additional duties on the manufactures and vessels of the nation establishing such regulations. Long and acrimonious discussions succeeded, on these propositions; and on the 8th of February, the first was adopted by a majority of five.

A motion was then made by the Anglican party, to amend the second by extending its operation to all nations, without discrimination. This motion was superseded by another, from the republican side, exempting all nations from its operation, except Great Britain. This brought the contest to a focus; and, apprehensive of the result of such a proposition, even if adopted, the advocates of discrimination moved a postponement of the whole subject until the 1st of March, which was carried.

In the mean time, intelligence arrived of additional British aggressions on our commerce ; and both parties became sensible that something must be done. The republicans were in favor of commercial retaliation, as the most effectual weapon of resistance, and the only one which the crisis of affairs demanded ; the federalists, though they deprecated the possibility of an open rupture with Great Britain, yet preferred even the horrors and desolations of war, to what they deemed a sacrifice of their patron nation to the interests of her rival. They thought it a favorable opportunity, also, to push for a standing army. A proposition was accordingly submitted to this effect ; and also to empower the President to lay an embargo for thirty days, should the welfare of the country, in his opinion, require it. The former was negatived ; the latter prevailed, on the 26th of March.

But the advocates of commercial retaliation were not to be deterred from their course by any of these feints and diversions. The embargo, should it ever be carried into effect, which indeed was never intended by the movers themselves, would, besides distressing our own commerce, affect the interests of all foreign nations alike ; whereas it was Great Britain alone, who merited the scourge. Mr. Madison, therefore, frequently signified his determination to call up the discriminating resolutions, unless gentlemen had something more effectual to propose. Whereupon, sundry movements and counter movements were attempted, which produced violent altercations, but ended in nothing. Pending the agitation, however, fresh causes of irritation supervened, which excited the republicans to a bolder pitch of proceeding. Mr. Madison's resolutions were not considered strong enough. They gave way, therefore, to a proposition submitted by Mr. Clark, on the 7th of April, declaring that, until the British government should make restitution for all losses and damages sustained by American citizens from British armed vessels, contrary to the law of nations, and also, until the western posts be given up, *all commercial intercourse* between the United States and Great Britain, so far as respects the products of Great Britain and Ireland, should be prohibited. This proposition created a tremendous excitement ; the debates were impassioned, tempestuous ; at length, the moment of trial approached, and no longer a doubt existed of the passage of the resolution.

At this crisis, the monarchical federalists resolved on an act of extraordinary boldness, in the character of executive usurpation. They went to the President and engaged his interference in opposition to the proceedings of the House, by nominating an Envoy Extraordinary to the British Court ! Sensible of their present ascendancy in the Senate, and uncertain of its continuance, they meant, by forming a commercial treaty with Great Britain analogous to their principles and feelings, to erect a permanent barrier against the power of the Legislature to establish a different system of policy towards that nation. It was deemed unsafe to trust the business in democratic hands. John Jay was accordingly nominated by the President to proceed on this extraordinary mission ; and, after a vigorous but desperate opposition, was confirmed by the Senate.

Intelligence of this proceeding of the President, was received with regret and marked disapprobation by the republican members of the House. They regarded it as an arbitrary interposition of the executive arm, to arrest the adoption of measures, which were manifestly in accordance with the sense of the people. They were resolved not to be diverted from their course, but to testify, at least, the independence of their body. Mr. Clark's proposition was resumed, and the debates renewed with increased acrimony. After a slight modification of its principles, the resolution was adopted on the 23d of April. But the bill was rejected in the Senate, by the casting vote of the Vice President.

Thus, all attempts to humble the maritime despotism of Great Britain, by making her feel the scorpion lash of her own policy, were defeated by the preponderating influence of British interest and monarchical principles ; and Mr. Jay was dispatched on the humiliating errand of supplicating negotiation at the feet of a monarch, who had invariably spurned at negotiation, and rioted in uninterrupted aggression upon the rights of the ocean. The result of this mission was the famous Jay Treaty, so called, which was "really nothing more," in the language of Mr. Jefferson, "than a treaty of alliance between England and the Anglomen of this country, against the Legislature and people of the United States." The remaining history of that affair is better known, and need not here be repeated. This single transaction will serve as a specimen, though a very faint one, of the madness of the British monarchical faction.

through the remainder of the present, and the whole of the succeeding administration.

During these animated proceedings in Congress, which were set in motion by his commercial Report, Mr. Jefferson was in the bosom of retirement at Monticello. After five and twenty years' continual employment in the public service, with every wish of personal ambition more than gratified, he returned, with infinite appetite, to that line of life which had always been most congenial to his mind, and from which he was resolved never again to be divorced. In answer to a letter of the Secretary of State, soon after his resignation, containing an invitation of the President, pressing his return to the public councils, he wrote : "No circumstances, my dear Sir, will ever more tempt me to engage in any thing public. I thought myself perfectly fixed in this determination when I left Philadelphia, but every day and hour since has added to its inflexibility. It is a great pleasure to me to retain the esteem and approbation of the President, and this forms the only ground of any reluctance at being unable to comply with every wish of his. Pray convey these sentiments and a thousand more to him, which my situation does not permit me to go into."

In the cultivation of his farm, with which he was at all times extravagantly enamored, and to which he was now intently devoted, Mr. Jefferson was as philosophical and original, as in every other department of business to which his attention was turned. On and around the mountain, on which Monticello is situated, was an estate of about 5000 acres, which he owned ; of which, eleven hundred and twenty acres only were under cultivation. A ten years' abandonment of his lands to the ravages of overseers, had brought on them a degree of degradation, far beyond what he had expected ; and determined him on the following plan for retrieving them from the wretched condition in which he found them. He divided all his lands under culture, into four farms, and every farm into seven fields, of forty acres. Each farm, therefore, consisted of two hundred and eighty acres. He established a system of rotation in cropping, which embraced seven years ; and this was the reason for the division of each farm into seven fields. In the first of these years, wheat was cultivated ; in the second, Indian corn ; in the third, peas or potatoes ; in the fourth, vetches ; in the fifth, wheat ; and in the sixth and seventh, clover. Thus each of his fields

yielded some produce every year, and the rotation of culture, while it prepared the soil for the succeeding crop, increased its produce. Each farm, under the direction of a particular steward or bailiff, was cultivated by four negroes, four negresses, four oxen, and four horses. On each field was constructed a barn sufficiently capacious to hold its produce in grain and forage. A few extracts from his private correspondence, at this period, will show how completely his mind was abstracted from the political world, and absorbed in the occupations and enjoyments of his rural retreat.

TO JAMES MADISON.—“I long to see you. I am proceeding in my agricultural plans with a slow but sure step. To get under full way will require four or five years. But patience and perseverance will accomplish it. My little essay in red clover, the last year, has had the most encouraging success. I sowed then about forty acres. I have sowed this year about one hundred and twenty, which the rain now falling comes very opportunely on. From one hundred and sixty to two hundred acres, will be my yearly sowing. The seed-box described in the agricultural transactions of New-York, reduces the expense of seeding from six shillings to two shillings and three pence the acre, and does the business better than is possible to be done by the human hand.”

TO W. B. GILES.—“I sincerely congratulate you on the great prosperities of our two first allies, the French and Dutch. If I could but see them now at peace with the rest of their continent, I should have little doubt of dining with Pichegru in London, next autumn; for I believe I should be tempted to leave my clover for a while, and go and hail the dawn of liberty and republicanism in that island. I shall be rendered very happy by the visit you promise me. The only thing wanting to make me completely so, is the more frequent society of my friends. It is the more wanting, as I am become more firmly fixed to the glebe. If you visit me as a farmer, it must be as a condisciple; for I am but a learner, an eager one indeed, but yet desperate, being too old to learn a new art. However, I am as much delighted and occupied with it, as if I was the greatest adept. I shall talk with you about it from morning till night, and put you on very short allowance as to political aliment. Now and then a pious ejaculation for the French and Dutch republicans, returning with due despatch to clover, potatoes, wheat, &c.”

TO M. PAGE.—“It was not in my power to attend at Fredricksburg according to the kind invitation in your letter, and in that of Mr. Ogilvie. The heat of the weather, the business of the farm, to which I have made myself necessary, forbade it; and to give one round reason for all, *mature sanus*, I have laid up my Rosinante in his stall, before his unfitness for the road shall expose him faltering

to the world. But why did not I answer you in time? Because, in truth, I am encouraging myself to grow lazy, and I was sure you would ascribe the delay to any thing sooner than a want of affection or respect to you, for this was not among the possible causes. In truth, if any thing could ever induce me to sleep another night out of my own house, it would have been your friendly invitation and my solicitude for the subject of it, the education of our youth. I do most anxiously wish to see the highest degrees of education given to the higher degrees of genius, and to all degrees of it, so much as may enable them to read and understand what is going on in the world, and to keep their part of it going on right: for nothing can keep it right but their own vigilant and distrustful superintendence."

TO E. RANDOLPH.—"I think it is Montaigne who has said, that ignorance is the softest pillow on which a man can rest his head. I am sure it is true as to every thing political, and shall endeavor to estrange myself to every thing of that character. I indulge myself on one political topic only, that is, in declaring to my countrymen the shameless corruption of a portion of the Representatives in the first and second Congresses, and their implicit devotion to the treasury. I think I do good in this, because it may produce exertions to reform the evil, on the success of which the form of the government is to depend."

With the peaceful operations of agriculture, Mr. Jefferson combined another gratification which divided his heart equally with them—to wit, the pursuit of science. In compliment to his extraordinary passion for philosophy, and his exalted attainments in science, he was about this time, appointed President of the American Philosophical Society, the oldest and most distinguished institution in the United States. This honor had been first conferred on Dr. Franklin, and afterwards on Rittenhouse, at whose death Mr. Jefferson was chosen. His sensibility to this mark of distinction, was more profound than he had ever felt on any occasion of political preferment. "The suffrage of a body," said he in reply, "which comprehends whatever the American world has of distinction in philosophy and science in general, is the most flattering incident of my life, and that to which I am the most sensible. My satisfaction would be complete, were it not for the consciousness that it is far beyond my titles. I feel no qualification for this distinguished post, but a sincere zeal for all the objects of our institution, and an ardent desire to see knowledge so disseminated through the mass of mankind, that it may, at length, reach even the extremes of society, beggars, and kings."

Of this Society he was the pride and ornament. He presided over it for a number of years with great efficiency and eclat, elevating its character, and extending its operations, by those means which his enlarged acquaintance with science, and the literary world, enabled him to command. His constant attendance at its meetings, while he resided in Philadelphia, gave them an interest which had not been excited for a number of years. Science, under his auspices, received a fresh impulse, as will appear by consulting the *Transactions* of that period, which were enriched by many valuable contributions from himself.

But it was impossible for Mr. Jefferson utterly to extinguish that inbred fervor of republicanism for which he was so remarkable, or those anxieties for its preservation and purity, which weighed on him so heavily, at times. He had left Philadelphia not without some inquietude for the future destinies of the government, yet with a confidence so peculiar to himself, in every emergency, as never permitted him to doubt the final result of the experiment. Some personal concern, also, for the fate of his commercial Report, which he had left unacted upon, occasionally obtruded itself upon his retirement. The sensations excited in his mind, on the first intelligence of that absurd drama in Congress, which immediately succeeded his departure, and which resulted in the nomination of an Envoy Extraordinary to the British Court, are liberally displayed in his letters of that date. His observations on the turbulent proceedings of that session, and its principal actors, on the memorable "Jay treaty," and its effects upon political parties, and on the general aspect of the public affairs during the years 1794, '95, and '96, are worthy of all consideration.

TO JAMES MADISON.—"I have been particularly gratified by the receipt of the papers containing yours and Smith's discussion of your regulating propositions. These debates had not been seen here but in a very short and mutilated form. I am at no loss to ascribe Smith's speech to its true father. Every tittle of it is Hamilton's except the introduction. There is scarcely any thing there which I have not heard from him in our various private, though official discussions. The very turn of the arguments is the same, and others will see as well as myself that the style is Hamilton's. The sophistry is too fine, too ingenious, even to have been comprehended by Smith, much less devised by him. His reply shows he did not understand his first speech; as its general inferiority proves its legit-

imacy, as evidently as it does the bastardy of the original. You know we had understood that Hamilton had prepared a counter report, [on commerce,] and that some of his humble servants in the Senate were to move a reference to him in order to produce it. But I suppose they thought it would have a better effect, if fired off in the House of Representatives. I find the report, however, so fully justified, that the anxieties with which I left it are perfectly quieted. In this quarter, all espouse your propositions with ardor, and without a dissenting voice. * * * As to the naval armament, the land armament, and the marine fortifications which are in question with you, I have no doubt they will all be carried. Not that the monocrats and papermen in Congress want war; but they want armies and debts; and though we may hope that the sound part of Congress is now so augmented as to insure a majority in cases of general interest merely, yet I have always observed that in questions of expense, where members may hope either for offices or jobs for themselves or their friends, some few will be debauched, and that is sufficient to turn the decision where a majority is, at most, but small. I have never seen a Philadelphia paper since I left it, till those you enclosed me; and I feel myself so thoroughly weaned from the interest I took in the proceedings there, while there, that I have never had a wish to see one, and believe that I shall never take another newspaper of any sort. I find my mind totally absorbed in my rural occupations."

To T. COXE.—"I am particularly to thank you for your favor in forwarding the Bee. Your letters give a comfortable view of French affairs, and later events seem to confirm it. Over the foreign powers I am convinced they will triumph completely, and I cannot but hope that that triumph, and the consequent disgrace of the invading tyrants, is destined, in the order of events, to kindle the wrath of the people of Europe against those who have dared to embroil them in such wickedness, and to bring at length, kings, nobles, and priests to the scaffolds which they have been so long deluging with human blood. I am still warm whenever I think of these scoundrels, though I do it as seldom as I can, preferring infinitely to contemplate the tranquil growth of my lucerne and potatoes. I have so completely withdrawn myself from these spectacles of usurpation and misrule, that I do not take a single newspaper, nor read one a month: and I feel myself infinitely the happier for it.

"We are alarmed here with the apprehensions of war; and sincerely anxious that it may be avoided; but not at the expense either of our faith or honor. It seems much the general opinion here, the latter has been too much wounded not to require reparation, and to seek it even in war, if that be necessary. As to myself, I love peace, and I am anxious that we should give the world still another use-

his talents and indefatigableness to extricate them. We have had only middling performances to oppose to him. In truth when he comes forward, there is nobody but yourself who can meet him. His adversaries having begun the attack, he has the advantage of answering them, and remains unanswered himself. A solid reply might yet completely demolish what was too feebly attacked, and has gathered strength from the weakness of the attack. The merchants were certainly (except those of them who are English) as open-mouthed at first against the treaty, as any. But the general expression of indignation has alarmed them for the strength of the government. They have feared the shock would be too great, and have chosen to tack about and support both treaty and government, rather than risk the government. Thus it is, that Hamilton, Jay, &c. in the boldest act they ever ventured on to undermine the government, have the address to screen themselves, and direct the hue and cry against those who wished to drag them into light. A bolder party-stroke was never struck. For it certainly is an attempt of a party, who find they have lost their majority in one branch of the legislature, to make a law by the aid of the other branch and of the executive, under color of a treaty, which shall bind up the hands of the adverse branch from ever restraining the commerce of their patron nation. There appears a pause at present in the public sentiment, which may be followed by a revulsion. This is the effect of the desertion of the merchants, of the President's chiding answer to Boston and Richmond, of the writings of Curtius and Camillus, and of the quietism into which people naturally fall after first sensations are over. For God's sake take up your pen, and give a fundamental reply to Curtius and Camillus."

TO J. MONROE.—"The British treaty has been formally, at length, laid before Congress. All America is a tiptoe to see what the House of Representatives will decide on it. We conceive the constitutional doctrine to be, that though the President and Senate have the general power of making treaties, yet wherever they include in a treaty matters confided by the constitution to the three branches of legislature, an act of legislation will be requisite to confirm these articles, and that the House of Representatives, as one branch of the legislature, are perfectly free to pass the act or to refuse it, governing themselves by their own judgment whether it is for the good of their constituents to let the treaty go into effect or not. On the precedent now to be set will depend the future construction of our constitution, and whether the powers of legislation shall be transferred from the President, Senate, and House of Representatives, to the President and Senate, and Piamingo or any other Indian, Algerine, or other chief. It is fortunate that the first decision is to be in a case so palpably atrocious, as to have been predetermined

by all America. The appointment of Ellsworth Chief Justice, and Chase one of the judges, is doubtless communicated to you."

To J. MONROE.—"The campaign of Congress has closed. Though the Anglomen have in the end got their treaty through, and so far have triumphed over the cause of republicanism, yet it has been to them a dear-bought victory. It has given the most radical shock to their party which it has ever received: and there is no doubt, they would be glad to be replaced on the ground they possessed the instant before Jay's nomination extraordinary. They see that nothing can support them but the colossus of the President's merits with the people, and the moment he retires, that his successor, if a monocrat, will be overborne by the republican sense of his constituents: if a republican, he will of course give fair play to that sense, and lead things into the channel of harmony between the governors and governed. In the mean time, patience."

To J. MONROE.—"Congress have risen. You will have seen by their proceedings the truth of what I always observed to you, that one man outweighs them all in influence over the people, who have supported his judgment against their own and that of their representatives. Republicanism must lie on its oars, resign the vessel to its pilot, and themselves, to the course he thinks best for them. I had always conjectured, from such facts as I could get hold of, that our public debt was increasing about a million of dollars a year. You will see by Gallatin's speeches that the thing is proved. You will see farther, that we are completely saddled and bridled, and that the bank is so firmly mounted on us that we must go where they will guide."

To P. MAZZEI, (in Europe).—"The aspect of our politics has wonderfully changed since you left us. In place of that noble love of liberty and republican government which carried us triumphantly through the war, an Anglican monarchical and aristocratical party has sprung up, whose avowed object is to draw over us the substance, as they have already done the forms, of the British government. The main body of our citizens, however, remain true to their republican principles: the whole landed interest is republican, and so is a great mass of talents. Against us are the executive, the judiciary, two out of three branches of the legislature, all the officers of the government, all who want to be officers, all timid men who prefer the calm of despotism to the boisterous sea of liberty, British merchants and Americans trading on British capitals, speculators and holders in the banks and public funds, a contrivance invented for the purposes of corruption, and for assimilating us in all things to the rotten as well as the sound parts of the British model. It would give you a fever were I to name to you the apostates who have gone over to these heresies, men who were Samsons in the field and Solo-

his talents and indefatigableness to extricate them. We have had only middling performances to oppose to him. In truth when he comes forward, there is nobody but yourself who can meet him. His adversaries having begun the attack, he has the advantage of answering them, and remains unanswered himself. A solid reply might yet completely demolish what was too feebly attacked, and has gathered strength from the weakness of the attack. The merchants were certainly (except those of them who are English) as open-mouthed at first against the treaty, as any. But the general expression of indignation has alarmed them for the strength of the government. They have feared the shock would be too great, and have chosen to tack about and support both treaty and government, rather than risk the government. Thus it is, that Hamilton, Jay, &c. in the boldest act they ever ventured on to undermine the government, have the address to screen themselves, and direct the hue and cry against those who wished to drag them into light. A bolder party-stroke was never struck. For it certainly is an attempt of a party, who find they have lost their majority in one branch of the legislature, to make a law by the aid of the other branch and of the executive, under color of a treaty, which shall bind up the hands of the adverse branch from ever restraining the commerce of their patron nation. There appears a pause at present in the public sentiment, which may be followed by a revulsion. This is the effect of the desertion of the merchants, of the President's chiding answer to Boston and Richmond, of the writings of Curtius and Camillus, and of the quietism into which people naturally fall after first sensations are over. For God's sake take up your pen, and give a fundamental reply to Curtius and Camillus."

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mons in the council, but who have had their heads shorn by the harlot England. In short, we are likely to preserve the liberty we have obtained only by unremitting labors and perils. But we shall preserve it ; and our mass of weight and wealth on the good side is so great, as to leave no danger that force will ever be attempted against us. We have only to awake and snap the Lilliputian cords with which they have been entangling us during the first sleep which succeeded our labors.

“ I begin to feel the effects of age. My health has suddenly broken down, with symptoms which give me to believe I shall not have much to encounter of the *tedium vitæ*. While it remains, however, my heart will be warm in its friendships, and among these, will always foster the affections with which I am, Dear Sir, your friend and servant.”

The last of the above letters is somewhat celebrated in the political history of the dark ages of our Republic. The circumstances which have given it notoriety, aside from its remarkable merits as an epistolary essay, are these. It was written to an Italian, an intimate and confidential friend of Mr. Jefferson, who had passed some years in the United States, in the vicinity of Monticello. It was a long letter of business, in which was the single paragraph only of political matter, inserted above. This paragraph was extracted, published in a Florence paper, republished in the *Moniteur* of Paris, and an additional sentence interpolated, which made Mr. Jefferson charge his own country with ingratitude and injustice to the French nation. This was at a time when the dominant party in France were laboring under very general disfavor, and their friends were eager to catch at every circumstance to buoy them up. The sentence respecting France was an entire fabrication. There was not a word in the whole letter relating to France, or any of the proceedings or relations between this country and that. In this interpolated form, it was copied into the newspapers of the United States, made a subject of exaggerated commentary by the editors, and a never failing source of crimination and calumny against Mr. Jefferson and the republican party. In the genuine letter, of which the author retained a press-copy, and of which the controverted paragraph is given entire, there was not one word which would not then have been, or would not now be approved by every republican in the United States, looking back to the times in which it was written. Instead of being libeled, and made a theme of reprobation, it should be written in sunbeams, in eternal honor of the author, and engraved upon the

heart of every American, in everlasting testimony against that period, of which it presents so terrible yet faithful a portrait.

A great handle was made of this letter to produce a rupture between the writer and General Washington. Besides the interpolated sentence, and the mutilated hue which the translations through Italian and French into English, gave the whole paragraph, a mis-translation of a single word entirely perverted its meaning, and made it a pliant text of copious misrepresentations of the author. The word 'forms' in the first sentence, was rendered *form*, so as to make Mr. Jefferson express hostility to the present frame or organization of government. Whereas the 'forms' there meant, were the levees, birth-days, the pompous cavalcade to the capitol on the meeting of Congress, the formal speech from the throne, the procession of Congress to re-echo the speech in an answer, &c. &c. Of all these, it is true, the writer of that letter was an avowed, an implacable enemy, and intended, on that occasion, to express his unqualified reprehension. Now General Washington perfectly understood what was meant by these forms, as they had been frequent subjects of conversation between him and Mr. Jefferson. On these occasions he always joined in condemning them, explained the circumstances by which the aristocrats had inveigled him into them, and afterwards took measures to prevent their repetition. When the term of his second election arrived, he called the heads of departments together, observed that a proper occasion was now offered, of revising the ceremonies established, and desired them, by consulting together, to agree on such changes as they should think proper. Hamilton concurred with Mr. Jefferson at once, that there was too much ceremony for the character of our government, and particularly, that the parade of the installation at New-York ought not to be copied; that the President should desire the Chief Justice to attend him at his chambers, and administer the oath of office to him in the presence of the higher officers of the government. Randolph and Knox differed from them; the latter vehemently. As the opinions of the Cabinet were divided, and no positive decision given, no change was made.

The phrase 'Samsons in the field,' it was always said, was intended to include Gen. Washington under the general charge of apostacy. But himself never so understood it. He knew that it was meant for the officers of the Cincinnati generally, and that, from what had

passed between him and Mr. Jefferson at the commencement of the institution, it was not intended to include him. So far from his having called the author to an account, as has been gravely published, for these expressions in the letter to Mazzei, there never passed a word, written or verbal, directly or indirectly, between them on the subject ; and their last parting, which was at the inauguration of Mr. Adams in '97, was warmly affectionate. General Washington never would have incurred such a degradation as to have appropriated to himself the imputation in that letter on the ' Samsons in combat.'^{*}

Unwearied stratagems were used to alienate the President from his late Secretary of State. The latter was represented as industriously engaged in promoting the opposition to the government. But if there was any one thing for which he was remarkable, it was his singular forbearance in this respect. It is an extraordinary fact in Mr. Jefferson's life, that he never wrote a paragraph for the newspapers. The only channel of communication which he employed, for making known his sentiments abroad, was that of private correspondence ; and he always restrained it to those on whose fidelity he could sacredly rely against a public divulcation. It would be difficult to assign a motive for his singular caution on this head, unless it were an immeasurable desire for tranquillity. Every public inducement would certainly have constrained him to a different course : for he had declared, that ' were it left to himself to decide, whether we should have a government without newspapers, or newspapers without a government, he should not hesitate a moment to prefer the latter.' Much as he idolized the freedom of the press, as the only safeguard of the public liberty, and preservative against human error, he never appropriated to his own use any portion of its efficacy ; not even for the purposes of self-defence, against the unparalleled torrent of obloquy with which he was assailed for thirty years. This curious fact, which would not have been credited by the past generation, appears in many of his letters, and particularly in one to General Washington, written at this period.

"I have formerly mentioned to you, that from a very early period of my life, I had laid it down as a rule of conduct never to write a word for the public papers. From this, I have never departed in a

* Letter to Martin Van Buren, 1824.

single instance ; and on a late occasion, [the British treaty,] when all the world seemed to be writing, besides a rigid adherence to my own rule, I can say with truth, that not a line for the press was ever communicated to me, by any other, except a single petition referred for my correction ; which I did not correct, however, though the contrary, as I have heard, was said in a public place, by one person through error, through malice by another. I learn that this last has thought it worth his while to try to sow tares between you and me, by representing me as still engaged in the bustle of politics, and in turbulence and intrigue against the government. I never believed for a moment that this could make any impression on you, or that your knowledge of me would not outweigh the slander of an intriguer, dirtily employed in sifting the conversations of my table, where alone he could hear of me ; and seeking to atone for his sins against you by sins against another, who had never done him any other injury than that of declining his confidences. Political conversations I really dislike, and therefore avoid where I can without affectation. But when urged by others, I have never conceived that having been in public life requires me to belie my sentiments, or even to conceal them. When I am led by conversation to express them, I do it with the same independence here, which I have practised every where, and which is inseparable from my nature."

Early in the year 1795, the two great parties of the nation became firmly arrayed against each other, on the question of providing a successor to General Washington. The withdrawal from the scene of competition, of the only man in the United States who united the choice of all parties, created the first occasion of a disputed election to the Presidency. Mr. Adams was taken up by the monarchical federalists, and by the aristocratical party generally, who, by the patronage of the government, by the duperies which they practised, and the 'terrorism with which they surrounded themselves,' drove all the moderate federalists, and many honest republicans into their ranks. Mr. Jefferson was undividedly designated as the republican candidate. His name was brought forward without concert or approbation on his part, and, indeed, in opposition to his express wishes. In answer to a letter from Mr. Madison, on the subject, in April, '95, he communicated his dispositions frankly and decidedly. After expressing the first wish of his heart, which was to see his correspondent himself at the head of the government, as the fittest person in the United States for that office, he says :

"For as to myself, the subject had been thoroughly weighed and decided on, and my retirement from office had been meant from all office, high or low, without exception. I can say, too, with truth,

that the subject had not been presented to my mind by any vanity of my own. I know myself and my fellow citizens too well to have ever thought of it. But the idea was forced upon me by continual insinuations in the public papers, while I was in office. As all these came from a hostile quarter, I knew that their object was to poison the public mind as to my motives, when they were not able to charge me with facts. But the idea being once presented to me, my own quiet required that I should face it and examine it. I did so thoroughly, and had no difficulty to see that every reason which had determined me to retire from the office I then held, operated more strongly against that which was insinuated to be my object. I decided then on those general grounds which could alone be present to my mind at that time, that is to say, reputation, tranquillity, labor; for as to public duty, it could not be a topic of consideration in my case. If these general considerations were sufficient to ground a firm resolution never to permit myself to think of the office, or be thought of for it, the special ones, which have supervened on my retirement, still more insuperably bar the door to it. My health is entirely broken down within the last eight months; my age requires that I should place my affairs in a clear state; these are sound if taken care of, but capable of considerable dangers if longer neglected; and above all things, the delights I feel in the society of my family, and in the agricultural pursuits in which I am so eagerly engaged. The little spice of ambition which I had in my younger days, has long since evaporated, and I set still less store by a posthumous than present name. In stating to you the heads of reasons which have produced my determination, I do not mean an opening for future discussion, or that I may be reasoned out of it. The question is for ever closed with me; my sole object is to avail myself of the first opening ever given me from a friendly quarter (and I could not with decency do it before) of preventing any division or loss of votes, which might be fatal to the republican interest."

There can be no doubt that these were the real sentiments of Mr. Jefferson. Writing to a bosom friend, with whom he was in habits of unlimited trust and counsel, he could have no possible motive to dissemble, but every rational one to avoid it. They were too analogous, also, to the whole tenor of his previous declarations, and to all his attachments to philosophy, agriculture and domestic retirement, not to preclude every suspicion of their sincerity.

The contest was conducted with great asperity. In fierceness and turbulence of character, in the temper and dispositions of the respective parties, and in the principles which were put in issue, the contest so strongly resembled those, of which the present generation

have been frequent eye-witnesses and actors, as to render a description unnecessary. The issue is well known. The struggle of the people against the party in power, and who have abused that power to the strengthening of their own hands, is always an unequal one; and was lost, on the present occasion, by the transcendent popularity of the existing incumbent, which was dexterously made a stalking horse by the 'monocrats' for carrying their candidate into the succession. The majority, however, was too inconsiderable to make it a triumph. On counting the electoral votes in February, 1797, it appeared there were seventy-one for Mr. Adams, and sixty-eight for Mr. Jefferson. But the difference was still less between the real vote, which was 70 to 69; for one of the Pennsylvania* electors was excluded, in consequence of some informality, and one who was not an elector, was admitted. Had the same rigor of construction been observed, in other cases of irregularity, the result of the election, in all probability, would have been reversed. The validity of the Vermont election was a subject of long and reasonable doubt, on the ground of informality. But Mr. Jefferson would not permit his friends to raise a question on it before the House. In a letter to Mr. Madison, dated January 16, 1797, about a month before the electoral votes were counted, he wrote: "I observe doubts are still expressed as to the validity of the Vermont election. Surely, in so great a case, substance, and not form, should prevail. I cannot suppose that the Vermont constitution has been strict in requiring particular forms of expressing the legislative will. As far as my disclaimer may have any effect, I pray you to declare it on every occasion, foreseen or not foreseen by me, in favor of the choice of the people substantially expressed, and to prevent the phenomenon of a pseudo-President at so early a day."

A similar instance of magnanimity towards his competitor, was manifested by Mr. Jefferson on another occasion during the election. At one time, it was pretty generally conjectured, that the vote would be equally divided between the opposing candidates; in which event the election would have devolved on the House of Representatives, which was likewise believed to be about equally divided.

* The States of Pennsylvania, North-Carolina, South-Carolina, Georgia, Kentucky and Tennessee, voted for Mr. Jefferson. The New-England States, with N. York, N. Jersey and Delaware, voted for Mr. Adams. Maryland gave seven votes for Mr. Adams, and four for Mr. Jefferson.

Foreseeing the possibility of such a dilemma, he wrote to Mr. Madison, under date of December 17, 1796, authorizing and requesting him, in that event, to manifest his disclaimer in favor of Mr. Adams.

"The first wish of my heart was, that you should have been proposed for the administration of the government. On your declining it, I wish any body rather than myself: and there is nothing I so anxiously hope, as that my name may come out either second or third. These would be indifferent to me; as the last would leave me at home the whole year, and the other, two-thirds of it. I have no expectation that the Eastern States will suffer themselves to be so much outwitted, as to be made the tools for bringing in P. instead of A. I presume they will throw away their second vote. In this case, it begins to appear possible, that there may be an equal division where I had supposed the republican vote would have been considerably minor. It seems also possible, that the Representatives may be divided. This is a difficulty from which the constitution has provided no issue. It is both my duty and inclination, therefore, to relieve the embarrassment, should it happen: and in that case, I pray you, and authorize you fully, to solicit on my behalf that Mr. Adams may be preferred. He has always been my senior, from the commencement of our public life, and the expression of the public will being equal, this circumstance ought to give him the preference. And when so many motives will be operating to induce some of the members to change their vote, the addition of my wish may have some effect to preponderate the scale."

So soon as the event of the election became known, Mr. Jefferson made every exertion to re-establish harmony between himself and Mr. Adams. They had been cordial friends from the beginning of the Revolution until their return from Europe. After their reunion on this side the Atlantic, various little circumstances occurred, which produced a coldness and partial estrangement on the part of Mr. Adams. But none of these things, it appears, had affected the mind of Mr. Jefferson. The deviation of his revolutionary co-worker from that line of politics, on which they had been united, had not made him less sensible of the rectitude of his heart. He wished him, most devoutly, to know this, as well as another truth, that he was sincerely gratified at having escaped the 'late draught for the helm,' and had not a wish to which his friend presented an obstacle. That he should be convinced of these truths was important to their mutual satisfaction, and perhaps to the harmony and good conduct of the public service. Accordingly, he addressed a letter to Mr. Madison, in which he enclosed another to Mr.

Adams, stating the undiminished cordiality of his attachment, in the most affecting terms ; and concluding with the sincere prayer that his administration might be filled with glory and happiness to himself, and advantage to the nation.

The following selections from his correspondence at this period, display a character, to which the world has hitherto attached little credit, in the estimates which it has put upon this extraordinary personage.

TO J. MADISON.—“It is difficult to obtain full credit to declarations of disinclination to honors, and most so with those who still remain in the world. But never was there a more solid unwillingness, founded on rigorous calculation, formed in the mind of any man, short of peremptory refusal. No arguments, therefore, were necessary to reconcile me to a relinquishment of the first office, or acceptance of the second. No motive could have induced me to undertake the first, but that of putting our vessel upon her republican tack, and preventing her being driven too far to leeward of her true principles. And the second is the only office in the world about which I cannot decide in my own mind, whether I had rather have it or not have it. Pride does not enter into the estimate. For I think with the Romans of old, that the General of to-day should be a common soldier to-morrow, if necessary. But as to Mr. Adams, particularly, I could have no feelings which would revolt at being placed in a secondary station to him. I am his junior in life, I was his junior in Congress, his junior in the diplomatic line, and lately his junior in our civil government. I had written him the enclosed letter before the receipt of yours. I had intended it for some time, but had put it off, from time to time, from the discouragement of despair to make him believe me sincere. As the information by the last post does not make it necessary to change any thing in the letter, I enclose it open for your perusal, as well that you may be possessed of the true state of dispositions between us, as that if there be any circumstance which might render its delivery ineligible, you may return it to me. If Mr. Adams could be induced to administer the government on its true principles, quitting his bias for an English constitution, it would be worthy consideration whether it would not be for the public good, to come to a good understanding with him as to his future elections. He is the only sure barrier against Hamilton’s getting in.”

TO E. RUTLEDGE.—“You have seen my name lately tacked to so much of eulogy and of abuse, that I dare say you hardly thought it meant your old acquaintance of ’76. In truth, I did not know myself under the pens either of my friends or foes. It is unfortunate for our peace, that unmerited abuse wounds, while unmerited praise

has not the power to heal. These are hard wages for the services of all the active and healthy years of one's life. I had retired after five and twenty years of constant occupation in public affairs, and total abandonment of my own. I retired much poorer than when I entered the public service, and desired nothing but rest and oblivion. My name, however, was again brought forward, without concert or expectation on my part; (on my salvation I declare it.) I do not as yet know the result, as a matter of fact; for in my retired canton we have nothing later from Philadelphia than of the second week of this month. Yet I have never one moment doubted the result. I knew it was impossible Mr. Adams should lose a vote north of the Delaware, and that the free and moral agency of the south would furnish him an abundant supplement. On principles of public respect I should not have refused; but I protest before my God, that I shall, from the bottom of my heart, rejoice at escaping. I know well that no man will ever bring out of that office the reputation which carries him into it. The honey-moon would be as short in that case as in any other, and its moments of ecstasy would be ransomed by years of torment and hatred. I shall highly value, indeed, the share which I may have had in the late vote, as an evidence of the share I hold in the esteem of my countrymen. But in this point of view, a few votes more or less, will be little sensible, and in every other, the minor will be preferred by me to the major vote. I have no ambition to govern men; no passion which would lead me to delight to ride in a storm. *Flumina amo, sylvasque, inglorious.* My attachment to my home has enabled me to make the calculation with rigor, perhaps with partiality, to the issue which keeps me there. The newspapers will permit me to plant my corn, pease, &c. in hills or drills as I please, (and my oranges, by the bye when you send them,) while our eastern friend will be struggling with the storm which is gathering over us; perhaps be shipwrecked in it. This is certainly not a moment to covet the helm."

To J. SULLIVAN.—"The idea that I would accept the office of President, but not that of Vice-President of the United States, had not its origin with me. I never thought of questioning the free exercise of the right of my fellow citizens, to marshal those whom they call into their service according to their fitness, nor ever presumed that they were not the best judges of that. Had I indulged a wish in what manner they should dispose of me, it would precisely have coincided with what they have done. Neither the splendor, nor the power, nor the difficulties, nor the fame, or defamation, as may happen, attached to the first magistracy, have any attractions for me. The helm of a free government is always arduous, and never was ours more so, than at a moment when two friendly people are like to be committed in war by the ill temper of their administrations. I am so much attached to my domestic situation, that I would not have

wished to leave it at all. However, if I am to be called from it, the shortest absences*and most tranquil station suit me best. I value highly, indeed, the part my fellow citizens gave me in their late vote, as an evidence of their esteem, and I am happy in the information you are so kind as to give, that many in the eastern quarter entertain the same sentiment.

“Where a constitution, like ours, wears a mixed aspect of monarchy and republicanism, its citizens will naturally divide into two classes of sentiment, according as their tone of body or mind, their habits, connections, and callings, induce them to wish to strengthen either the monarchical or the republican features of the constitution. Some will consider it as an elective monarchy, which had better be made hereditary, and therefore endeavor to lead towards that all the forms and principles of its administration. Others will view it as an energetic republic, turning in all its points on the pivot of free and frequent elections. The great body of our native citizens are unquestionably of the republican sentiment. Foreign education, and foreign connections of interest, have produced some exceptions in every part of the Union, north and south; and perhaps other circumstances in your quarter, better known to you, may have thrown into the scale of exceptions a greater number of the rich. Still there, I believe, and here, I am sure, the great mass is republican. Nor do any of the forms in which the public disposition has been pronounced in the last half dozen years, evince the contrary. All of them, when traced to their true source, have only been evidences of the preponderant popularity of a particular great character. That influence once withdrawn, and our countrymen left to the operation of their own unbiassed good sense, I have no doubt we shall see a pretty rapid return of general harmony, and our citizens moving in phalanx in the paths of regular liberty, order, and a sacrosanct adherence to the constitution. Thus I think it will be, if war with France can be avoided. But if that untoward event comes athwart us in our present point of deviation, no body, I believe, can foresee into what port it will drive us.”

CHAPTER XII.

The new administration, under John Adams, commenced on the 4th of March, 1797. In the composition of his cabinet, the President was swayed by the Hamiltonian counsellors who surrounded him, and who had made him all their own. The selection of characters was of course purely anti-republican, at the head of whom was Timothy Pickering; and the measures of the whole administration partook thoroughly of the same political hue.

Mr. Jefferson arrived at the seat of government on the 2d of March. Though there was no necessity for his attendance, he had determined to come on, from a principle of respect to the public, and the new President. He had taken the precaution, however, to manifest his disapprobation of the mimicry of royal forms and ceremonies, which was established at the first inauguration, by declining all participation in the homage of the occasion. Soon as he was certified by the public papers, of the event of the election, he addressed a letter to Mr. Tazewell, Senator of Virginia, expressing his particular desire to dispense with the useless formality of notification by a special messenger. At the first election of President and Vice President, gentlemen of considerable distinction were deputed to notify the parties chosen; and it was made an office of much dignity. But this expensive formality was as unnecessary as it was repugnant to the genius of our government; and he was anxious that the precedent should not be drawn into example. He therefore authorized Mr. Tazewell to request the Senate, if not incompatible with their views of propriety, to discontinue the practice in relation to himself, and to adopt the channel of the post, as the least troublesome, the most rapid, and, by the use of duplicates and triplicates, always capable of being rendered the most certain. He addressed another letter, at the same time, to Mr. Madison, requesting him to discountenance in his behalf, all parade of reception, induction, &c. 'I hope, said he, I shall be made a part of no ceremony whatever. I shall escape into the city as covertly as possible. If Governor Mifflin should show any symptoms of ceremony, pray contrive to parry them.'

There was another point, involving an important constitutional principle, on which Mr. Jefferson improved the occasion of his election to introduce a salutary reformation in the practice of the government. During the previous administration, the Vice President was made a member of the cabinet, and occasionally participated in the executive consultations, equally with the members of the cabinet proper. But this practice he regarded as an unwarrantable combination of legislative with executive powers, which the constitution had wisely separated. He availed himself, therefore, of the first opening from a friendly quarter, to announce his determination to consider the office of Vice-President as legitimately confined to legislative functions, and to sustain no part whatever in the executive consultations. In a letter to Mr. Madison, dated Monticello, January 22, 1797, he says: "My letters inform me that Mr. Adams speaks of me with great friendship, and with satisfaction in the prospect of administering the government in concurrence with me. I am glad of the first information, because, though I saw that our ancient friendship was affected by a little leaven, produced partly by his constitution, partly by the contrivance of others, yet I never felt a diminution of confidence in his integrity, and retained a solid affection for him. His principles of government I knew to be changed, but conscientiously changed. As to my participation in the administration, if by that he meant the executive cabinet, both *duty* and *inclination* will shut that door to me. I cannot have a wish to see the scenes of 1793 revived as to myself, and to descend daily into the arena, like a gladiator, to suffer martyrdom in every conflict. As to duty, the constitution will know me only as the member of a legislative body; and its principle is, that of a separation of legislative, executive, and judiciary functions, except in cases specified. If this principle be not expressed in direct terms, yet it is clearly the spirit of the constitution, and it ought to be so commented and acted on by every friend to free government."

In the first moments of the enthusiasm of the inauguration. Mr. Adams forgot party sentiments, and indicated a disposition to harmonize with the republican body of his fellow citizens. He called on Mr. Jefferson the 3d of March, and expressed great pleasure at finding him alone, as he wished a free conversation with him. He entered immediately on an explanation of the situation of our affairs with France, and the danger of a rupture with that nation;

that he was impressed with the necessity of an immediate mission to the Directory ; that it would have been the first wish of his heart to have got Mr. Jefferson to go there, but that he supposed it was now out of the question. That he had determined on sending an embassy, which, by its dignity, should satisfy France, and, by its selection from the three great divisions of the continent, should satisfy all parts of the United States ; in short, that he determined to join Gerry and Madison to Pinckney, and he wished Mr. Jefferson to consult Madison in his behalf. He did so, but Mr. Madison declined, as was expected. Two days afterwards, on being informed by Mr. Jefferson of the result of his negotiation, Mr. Adams observed, that on consultation with his cabinet, some objections to that nomination had been raised, which he had not contemplated ; and was going on with excuses which evidently embarrassed him, when they were suddenly interrupted. After that, he never said a word to Mr. Jefferson on the subject, or ever consulted him as to any measures of the administration. On the first meeting with his cabinet, it appears, he had fallen completely into the hands of the monarchical party, and never afterwards recovered himself from their thralldom.*

It is not our province to write the history of an administration, which is emphatically denominated the 'reign of terror.' The scorching and overwhelming portraiture recorded by Mr. Jefferson, and bequeathed by him to his country, is sufficient to convey a general idea of that reckless and overbearing oligarchy, and of that inflexible opposition to it, by those firm spirits to whom the world is indebted for the preservation of republicanism 'at its last gasp.'

• Their usurpations and violations of the constitution at that period, and their majority in both Houses of Congress, were so great, so decided, and so daring, that after combating their aggressions, inch by inch, without being able in the least to check their career, the republican leaders thought it would be best for them to give up their useless efforts there, go home, get into their respective legislatures, embody whatever of resistance they could be formed into, and if ineffectual, to perish there as in the last ditch. All, therefore, retired, leaving Mr. Gallatin alone in the House of Representatives, and myself in the Senate, where I then presided as Vice-President. Remaining at our posts, and bidding defiance to the brow-beatings

*Ana.

and insults by which they endeavored to drive us off also, we kept the mass of republicans in phalanx together, until the legislatures could be brought up to the charge; and nothing on earth is more certain, than that if myself particularly, placed by my office of Vice President at the head of the republicans, had given way and withdrawn from my post, the republicans throughout the Union would have given up in despair, and the cause would have been lost for ever. By holding on, we obtained time for the legislatures to come up with their weight; and those of Virginia and Kentucky particularly, but more especially the former, by their celebrated resolutions, saved the constitution at its last gasp. No person who was not a witness of the scenes of that gloomy period, can form any idea of the afflicting persecutions and personal indignities we had to brook. They saved our country however. The spirits of the people were so much subdued and reduced to despair by the X. Y. Z. imposture, and other stratagems and machinations, that they would have sunk into apathy and monarchy, as the only form of government which could maintain itself."

"Mr. Adams, I am sure, has been long since convinced of the treacheries with which he was surrounded during his administration. He has since thoroughly seen, that his constituents were devoted to republican government, and whether his judgment is re-settled on its ancient basis, or not, he is conformed as a good citizen to the will of the majority, and would now, I am persuaded, maintain its republican structure with the zeal and fidelity belonging to his character. For even an enemy has said, 'He is always an honest man, and often a great one.' But in the fervor of the fury and follies of those who made him their stalking-horse, no man who did not witness it can form an idea of their unbridled madness, and the terrorism with which they surrounded themselves. The horrors of the French revolution, then raging, aided them mainly, and using that as a raw-head and bloody-bones, they were enabled by their stratagems of X. Y. Z. in which ***** was a leading mountebank, their tales of tub-plots, ocean-massacres, bloody-buoys, and pulpit-lyings and slanderings, and maniacal ravings of their Gardiners, their Osgoods, and Parishes, to spread alarm into all but the firmest breasts. Their Attorney General had the impudence to say to a republican member, that deportation must be resorted to, of which, said he, 'you republicans have set the example;' thus daring to identify us with the murderous Jacobins of France. These transactions, now recollected but as dreams of the night, were then sad realities; and nothing rescued us from their libercide effect, but the unyielding opposition of those firm spirits who sternly maintained their post in defiance of terror, until their fellow-citizens could be aroused to their own danger, and rally and rescue the standard of the constitution. This has been happily done. Federalism and

monarchism have languished from that moment, until their treasonable combinations with the enemies of their country during the late war, their plots of dismembering the Union, and their Hartford Convention, have consigned them to the tomb of the dead : and I fondly hope, ' we may now truly say, We are all republicans, all federalists,' and that the motto of the standard to which our country will for ever rally, will be, ' Federal union, and republican government : ' and sure I am we may say, that we are indebted for the preservation of this point of ralliance, to that opposition of which so injurious an idea is so artfully insinuated and excited in this history."

The most obnoxious features which characterized the administration of Mr. Adams, were : 1st. The total abandonment of the neutral and pacific policy towards foreign nations established by Mr. Jefferson, by courting a war with France, and an alliance offensive and defensive with Great Britain. 2d. As supplemental to the main design, the erection of a standing army, the enlargement of the navy, and war preparations of every kind, even after it was known from our envoys, that France was determined on maintaining peace with the United States, in spite of the ill temper of administration. 3d. The enormous increase of the public debt, with loans on an usurious interest of 8 per cent, a necessary consequence of the useless war preparations. 4th. Direct taxation, in the form of stamp tax, land tax, &c. the legitimate consequence of excessive expenditures and an increase of debt. 5th. The Alien Law, designed to check emigration, and aimed particularly at certain distinguished characters of France, who had chosen an asylum in the United States. 6th. The Sedition Law, aimed at the freedom of the press, and of public discussion. The two last measures were considered as "deliberate, palpable and dangerous" violations of the constitution, and so acted upon by all the republican States, and by the succeeding general administration, in every case. 7th. The enlargement of the federal judiciary by the creation of thirty-six new judges; and the assumption of the doctrine, that the common law of England was the law of the United States, and that the federal courts possessed jurisdiction co-extensive with that law, to wit, over all cases and persons. This judiciary arrogation was considered by Mr. Jefferson as the highest usurpation of federal authority over the sovereignty of the States, and the most daring experiment upon the liberties of the people ever attempted by the general government. To these specific usurpations and avowed principles might be added the grad-

ual and constant accumulation of power in the general government, at the expense of the States, and in the executive, at the expense of the legislative power, by the general tendency of the administrative acts, and by investing the President with extraordinary discretionary powers. Another question, on which the parties of that day were strongly divided, and which indeed was the foundation of every other, was on the improbability of the human mind, in science, in ethics, in government, religion, &c. The republicans advocated reformation of institutions, *pari passu* with the progress of science, and maintained that no definite limits could be assigned to that progress. The federalists, on the other hand, were the declared enemies of progressive reformation. They denied improvement in science, government, religion, &c. and advocated steady adherence to the principles, practices, and institutions of our fathers, which they represented as the consummation of wisdom, and acme of excellence, beyond which the human mind could never advance.

Against this degenerate and high handed career of administration, which was rapidly impelling the government into a monarchy, the opposition of the people was loud and uncompromising. The disciples of liberty and republican government adhered to Mr. Jefferson with undiminished enthusiasm, not only as the great founder of the principles of republicanism, but as presenting, by his extraordinary talents, firmness, and superior station, the only hope of salvation through the awful crisis which threatened destruction to every thing. The republican leaders in every part of the Union, leaned upon him as the Hercules of their political strength, and the Nestor of their political wisdom. His private correspondence with them, through this gloomy period of our history, is of the most interesting and powerful character. It forms, indeed, an important feature in the secret annals of our government, and an inexhaustible resource of materials against the character of those times, of which so plausible an idea has been artfully transmitted to posterity. A pretty copious selection from his cabinet, in a connected series, through the years '97, '98 and '99, seems necessary to place the public history, and his own individual character and transactions, in an unvarnished point of light.

TO GENERAL GATES.—“ I wish any events could induce us to cease to copy such a model, [the British Government,] and to assume the dignity of being original. They had their paper system,

stockjobbing, speculations, public debt, monied interest, &c., and all this was contrived for us. They raised their cry against jacobinism and revolutionists, we against democratic societies and anti-federalists ; their alarmists sounded insurrection, ours marched an army to look for one, but they could not find it. I wish the parallel may stop here, and that we may avoid, instead of imitating, a general bankruptcy and disastrous war.

“ Congress, or rather the Representatives, have been a fortnight debating between a more or less irritating answer to the President’s speech. The latter was lost yesterday, by forty-eight against fifty-one or fifty-two. It is believed, however, that when they come to propose measures leading directly to war, they will lose some of their numbers. Those who have no wish but for the peace of their country, and its independence of all foreign influence, have a hard struggle indeed, overwhelmed by a cry as loud and imposing as if it were true, of being under French influence, and this raised by a faction composed of English subjects residing among us, or such as are English in all their relations and sentiments. However, patience will bring all to rights, and we shall both live to see the mask taken from their faces, and our citizens sensible on which side true liberty and independence are sought.”

To COLONEL BURR.—“ I had always hoped, that the popularity of the late President being once withdrawn from active effect, the natural feelings of the people towards liberty would restore the equilibrium between the executive and legislative departments, which had been destroyed by the superior weight and effect of that popularity ; and that their natural feelings of moral obligation would discountenance the ungrateful predilection of the executive in favor of Great Britain. But unfortunately, the preceding measures [in relation to France] had already alienated the nation who were the object of them, had excited reaction from them, and this reaction has on the minds of our citizens an effect which supplies that of the Washington popularity. This effect was sensible on some of the late congressional elections, and this it is which has lessened the republican majority in Congress. When it will be reinforced, must depend on events, and these are so incalculable, that I consider the future character of our republic as in the air ; indeed its future fortune will be in the air, if war is made on us by France, and if Louisiana becomes a Gallo-American colony.

“ I have been much pleased to see a dawn of change in the spirit of your State. The late elections have indicated something, which, at a distance, we do not understand. However, what with the English influence in the lower, and the Patroon influence in the upper parts of your State, I presume little is to be hoped. If a prospect could be once opened upon us of the penetration of truth into the eastern States : if the people there, who are unquestiona-

bly republicans, could discover that they have been duped into the support of measures calculated to sap the very foundations of republicanism, we might still hope for salvation, and that it would come, as of old, from the East. But will that region ever awake to the true state of things? Can the middle, southern, and western States hold on till they awake? These are painful and doubtful questions: and if, in assuring me of your health, you can give me a comfortable solution of them, it will relieve a mind devoted to the preservation of our republican government in the true form and spirit in which it was established, but almost oppressed with apprehensions that fraud will at length effect what force could not, and that what with currents and counter-currents, we shall in the end, be driven back to the land from which we launched twenty years ago. Indeed, my dear Sir, we have been but a sturdy fish on the hook of a dexterous angler, who letting us flounce till we have spent our force, brings us up at last."

TO E. GERRY.—"It was with infinite joy to me, that you were yesterday announced to the Senate, as Envoy Extraordinary, jointly with General Pinckney and Mr. Marshall, to the French republic. It gave me certain assurances that there would be a preponderance in the mission, sincerely disposed to be at peace with the French government and nation. Peace is undoubtedly at present the first object of our nation. Interest and honor are also national considerations. But interest, duly weighed, is in favor of peace even at the expense of spoliations past and future; and honor cannot now be an object. The insults and injuries committed on us by both the belligerent parties, from the beginning of 1793 to this day, and still continuing, cannot now be wiped off by engaging in war with one of them. As there is great reason to expect this is the last campaign in Europe, it would certainly be better for us to rub through this year, as we have done through the four preceding ones, and hope that, on the restoration of peace, we may be able to establish some plan for our foreign connections more likely to secure our peace, interest, and honor, in future. Our countrymen have divided themselves by such strong affections, to the French and the English, that nothing will secure us internally but a divorce from both nations; and this must be the object of every real American, and its attainment is practicable without much self-denial. But, for this, peace is necessary. Be assured of this, my dear Sir, that if we engage in a war during our present passions, and our present weakness in some quarters, our Union runs the greatest risk of not coming out of that war in the shape in which it enters it. My reliance for our preservation is in your acceptance of this mission. I know the tender circumstances which will oppose themselves to it. But its duration will be short, and its reward long. You have it in your power, by accepting and determining the character of the mission, to se-

cure the present peace and eternal union of your country. If you decline, on motives of private pain, a substitute may be named who has enlisted his passions in the present contest, and by the preponderance of his vote in the mission may entail on us calamities, your share in which, and your feelings, will outweigh whatever pain a temporary absence from your family could give you. The sacrifice will be short, the remorse would be never-ending. Let me then, my dear Sir, conjure your acceptance, and that you will, by this act, seal the mission with the confidence of all parties. Your nomination has given a spring to hope, which was dead before."

TO E. RUTLEDGE.—"The events of Europe coming to us in astonishing and rapid succession, to wit, the public bankruptcy of England, Bonaparte's successes, the successes on the Rhine, the Austrian peace, mutiny of the British fleet, Irish insurrection, a demand of forty-three millions for the current services of the year, and above all, the warning voice, as is said, of Mr. King, to abandon all thought of connection with Great Britain, that she is going down irrecoverably, and will sink us also, if we do not clear ourselves, have brought over several to the pacific party, so as, at present, to give majorities against all threatening measures. They go on with frigates and fortifications, because they were going on with them before. They direct eighty thousand of their militia to hold themselves in readiness for service. But they reject the propositions to raise cavalry, artillery, and a provisional army, and to trust private ships with arms in the present combustible state of things. They believe the present is the last campaign of Europe, and wish to rub through this fragment of a year as they have through the four preceding ones, opposing patience to insult, and interest to honor. They will, therefore, immediately adjourn. This is indeed a most humiliating state of things, but it commenced in 1793. Causes have been adding to causes, and effects accumulating on effects, from that time to this. We had, in 1793, the most respectable character in the universe. What the neutral nations think of us now, I know not; but we are low indeed with the belligerents. Their kicks and cuffs prove their contempt. If we weather the present storm, I hope we shall avail ourselves of the calm of peace, to place our foreign connections under a new and different arrangement. We must make the interest of every nation stand surety for their justice, and their own loss to follow injury to us, as effect follows its cause. As to every thing except commerce, we ought to divorce ourselves from them all. But this system would require time, temper, wisdom, and occasional sacrifice of interest: and how far all of these will be ours, our children may see, but we shall not. The passions are too high at present, to be cooled in our day. You and I have formerly seen warm debates and high political passions. But gentlemen of different politics would then speak to each other, and

separate the business of the Senate from that of society. It is not so now. Men who have been intimate all their lives, cross the streets to avoid meeting, and turn their heads another way, lest they should be obliged to touch their hats. This may do for young men with whom passion is enjoyment. But it is afflicting to peaceable minds. Tranquillity is the old man's milk. I go to enjoy it in a few days, and to exchange the roar and tumult of bulls and bears, for the prattle of my grand-children and senile rest. Be these yours, my dear friend, through long years, with every other blessing, and the attachment of friends as warm and sincere, as yours affectionately."

TO COLONEL CAMPBELL.—"It is true that a party has risen up among us, or rather has come among us, which is endeavoring to separate us from all friendly connection with France, to unite our destinies with those of Great Britain, and to assimilate our government to theirs. Our lenity in permitting the return of the old Tories, gave the first body to this party; they have been increased by large importations of British merchants and factors, by American merchants dealing on British capital, and by stock dealers and banking companies, who, by the aid of a paper system, are enriching themselves to the ruin of our country, and swaying the government by their possession of the printing presses, which their wealth commands, and by other means, not always honorable to the character of our countrymen. Hitherto, their influence and their system have been irresistible, and they have raised up an executive power which is too strong for the legislature. But I flatter myself they have passed their zenith. The people, while these things were doing, were lulled into rest and security from a cause which no longer exists. No prepossessions now will shut their ears to truth. They begin to see to what port their leaders were steering during their slumbers, and there is yet time to haul in, if we can avoid a war with France. All can be done peaceably, by the people confining their choice of Representatives and Senators to persons attached to republican government and the principles of 1776, not office hunters, but farmers, whose interests are entirely agricultural. Such men are the true representatives of the great American interest, and are alone to be relied on for expressing the proper American sentiments. We owe gratitude to France, justice to England, good will to all, and subservience to none. All this must be brought about by the people, using their elective rights with prudence and self-possession, and not suffering themselves to be duped by treacherous emissaries. It was by the sober sense of our citizens that we were safely and steadily conducted from monarchy to republicanism, and it is by the same agency alone we can be kept from falling back."

TO J. MADISON.—"I wrote you last on the 15th; since that, yours of the 12th has been received. Since that, too, a great change

has taken place in the appearance of our political atmosphere. The merchants, as before, continue, a respectable part of them, to wish to avoid arming. The French decree operated on them as a sedative, producing more alarm than resentment : on the Representatives, differently. It excited indignation highly in the war party, though I do not know that it had added any new friends to that side of the question. We still hoped a majority of about four : but the insane message which you will see in the public papers has had great effect. Exultation on the one side, and a certainty of victory ; while the other is petrified with astonishment. Our Evans, though his soul is wrapt up in the sentiments of this message, yet afraid to give a vote openly for it, is going off to-morrow, as is said. Those who count, say there are still two members of the other side who will come over to that of peace. If so, the members will be for war measures, fifty-two, against them fifty-three ; if all are present except Evans. The question is, what is to be attempted, supposing we have a majority ? I suggest two things : 1. As the President declares he has withdrawn the executive prohibition to arm, that Congress should pass a legislative one. If that should fail in the Senate, it would heap coals of fire on their heads. 2. As, to do nothing and to gain time is every thing with us, I propose, that they shall come to a resolution of adjournment, ' in order to go home and consult their constituents on the great crisis of American affairs now existing.' Besides gaining time enough by this, to allow the descent on England to have its effect here as well as there, it will be a means of exciting the whole body of the people from the state of inattention in which they are ; it will require every member to call for the sense of his district by petition or instruction ; it will show the people with which side of the House their safety as well as their rights rest, by showing them which is for war and which for peace ; and their representatives will return here invigorated by the avowed support of the American people. I do not know, however, whether this will be approved, as there has been little consultation on the subject. We see a new instance of the inefficiency of constitutional guards. We had relied with great security on that provision, which requires two-thirds of the legislature to declare war. But this is completely eluded by a majority's taking such measures as will be sure to produce war. I wrote you in my last, that an attempt was to be made on that day in Senate, to declare the inexpediency of renewing our treaties. But the measure is put off under the hope of its being attempted under better auspices. To return to the subject of war, it is quite impossible, when we consider all the existing circumstances, to find any reason in its favor resulting from views either of interest or honor, and plausible enough to impose even on the weakest mind : and especially, when it would be undertaken by a majority of one or two only. Whatever then be our stock of charity or liberality, we must resort to other views. And

those so well known to have been entertained at Annapolis, and afterwards at the grand convention, by a particular set of men, present themselves as those alone which can account for so extraordinary a degree of impetuosity. Perhaps, instead of what was then in contemplation, a separation of the Union, which has been so much the topic to the eastward of late, may be the thing aimed at."

To J. MADISON.—"The bill for the naval armament [twelve vessels] passed by a majority of about four to three in the House of Representatives: all restrictions on the objects for which the vessels should be used were struck out. The bill for establishing a department of Secretary of the Navy was tried yesterday, on its passage to the third reading, and prevailed by forty-seven against forty-one. It will be read the third time to-day. The provisional army of twenty thousand men will meet some difficulty. It would surely be rejected if our members were all here. Giles, Clopton, Cabell, and Nicholas have gone, and Clay goes to-morrow. He received here news of the death of his wife. Parker has completely gone over to the war party. In this state of things they will carry what they please. One of the war party, in a fit of ungarded passion, declared some time ago they would pass a citizen bill, an alien bill, and a sedition bill: accordingly, some days ago, Coit laid a motion on the table of the House of Representatives for modifying the citizen law. Their threats pointed at Gallatin, and it is believed they will endeavor to reach him by this bill. Yesterday Mr. Hillhouse laid on the table of the Senate a motion for giving power to send away suspected aliens. This is understood to be meant for Volney and Collet. But it will not stop there when it gets into a course of execution. There is now only wanting, to accomplish the whole declaration before mentioned, a sedition bill, which we shall certainly soon see proposed. The object of that, is the suppression of the whig presses. Bache's has been particularly named. That paper, and also Carey's totter for want of subscriptions. We should really exert ourselves to procure them, for if these papers fall, republicanism will be entirely brow beaten."

To J. TAYLOR.—"Mr. New showed me your letter on the subject of the patent, which gave me an opportunity of observing what you said as to the effect, with you, of public proceedings, and that it was not unwise now to estimate the separate mass of Virginia and North Carolina, with a view to their separate existence. It is true that we are completely under the saddle of Massachusetts and Connecticut, and that they ride us very hard, cruelly insulting our feelings, as well as exhausting our strength and subsistence. Their natural friends, the three other eastern States, join them from a sort of family pride, and they have the art to divide certain other parts of the Union so as to make use of them to govern the whole. This is not new, it is the old prac-

tice of despots ; to use a part of the people to keep the rest in order. And those who have once got an ascendancy, and possessed themselves of all the resources of the nation, their revenues and offices, have immense means for retaining their advantage. But our present situation is not a natural one. The republicans, through every part of the Union, say, that it was the irresistible influence and popularity of General Washington played off by the cunning of Hamilton, which turned the government over to anti republican hands, or turned the republicans chosen by the people into anti-republicans. He delivered it over to his successor in this state, and very untoward events since, improved with great artifice, have produced on the public mind the impressions we see. But still I repeat it, this is not the natural state. Time alone would bring round an order of things more correspondent to the sentiments of our constituents. But are there no events impending, which will do it within a few months ? The crisis with England, the public and authentic avowal of sentiments hostile to the leading principles of our constitution, the prospect of a war, in which we shall stand alone, land tax, stamp tax, increase of public debt, &c. Be this as it may, in every free and deliberating society, there must, from the nature of man, be opposite parties, and violent dissensions and discords ; and one of these, for the most part, must prevail over the other for a longer or shorter time. Perhaps this party division is necessary to induce each to watch and delate to the people the proceedings of the other. But if on a temporary superiority of the one party, the other is to resort to a scission of the Union, no federal government can ever exist. If to rid ourselves of the present rule of Massachusetts and Connecticut, we break the Union, will the evil stop there ? Suppose the New England States alone cut off, will our natures be changed ? Are we not men still to the south of that, and with all the passions of men ? Immediately, we shall see a Pennsylvania and a Virginia party arise in the residuary confederacy, and the public mind will be distracted with the same party spirit. What a game too will the one party have in their hands, by eternally threatening the other, that unless they do so and so, they will join their northern neighbors. If we reduce our Union to Virginia and North Carolina, immediately the conflict will be established between the representatives of these two States, and they will end by breaking into their simple units. Seeing, therefore, that an association of men who will not quarrel with one another is a thing which never yet existed, from the greatest confederacy of nations down to a town meeting or a vestry ; seeing that we must have somebody to quarrel with, I had rather keep our New England associates for that purpose, than to see our bickerings transferred to others. They are circumscribed within such narrow limits, and their population so full, that their members will ever be the minority, and they are marked, like the Jews, with such a perversity of

character, as to constitute, from that circumstance, the natural division of our parties. A little patience, and we shall see the reign of witches pass over, their spells dissolved, and the people recovering their true sight, restoring their government to its true principles. It is true, that in the mean time, we are suffering deeply in spirit, and incurring the horrors of a war, and long oppressions of enormous public debt. But who can say what would be the evils of a scission, and when and where they would end? Better keep together as we are, haul off from Europe as soon as we can, and from all attachment to any portions of it ; and if they show their powers just sufficiently to hoop us together, it will be the happiest situation in which we can exist. If the game runs sometimes against us at home, we must have patience till luck turns, and then we shall have an opportunity of winning back the *principles* we have lost. For this is a game where principles are the stake. Better luck, therefore, to us all, and health, happiness, and friendly salutations to yourself."

TO E. PENDLETON.—" I wrote you a petition on the 29th of January. I know the extent of this trespass on your tranquillity, and how indiscreet it would have been under any other circumstances. But the fate of this country, whether it shall be irretrievably plunged into a form of government rejected by the makers of the constitution, or shall get back to the true principles of that instrument, depends on the turn which things may take within a short period of time ensuing the present moment. The violations of the constitution, propensities to war, to expense, and to a particular foreign connection, which we have lately seen, are becoming evident to the people, and are dispelling that mist which X. Y. Z. has spread before their eyes. This State is coming forward with a boldness not yet seen. Even the German counties of York and Lancaster, hitherto the most devoted, have come about, and by petitions with four thousand signers remonstrate against the alien and sedition laws, standing armies, and discretionary powers in the President. New-York and Jersey are also getting into great agitation. In this State, we fear that the ill-designing may produce insurrection. Nothing could be so fatal. Any thing like force would check the progress of the public opinion and rally them round the government. This is not the kind of opposition the American people will permit. But keep away all show of force, and they will bear down the evil propensities of the government, by the constitutional means of election and petition. If we can keep quiet, therefore, the tide now turning will take a steady and proper direction. Even in New Hampshire there are strong symptoms of a rising inquietude. In this state of things, my dear Sir, it is more in your power than any other man's in the United States, to give the *coup de grace* to the ruinous principles and practices we have seen. In hopes you

have consented to it, I shall furnish to you some additional matter which has arisen since my last."

TO T. LOMAX.—" You ask for any communication I may be able to make, which may administer comfort to you. I can give that which is solid. The spirit of 1776 is not dead. It has only been slumbering. The body of the American people is substantially republican. But their virtuous feelings have been played on by some fact with more fiction ; they have been the dupes of artful manœuvres, and made for a moment to be willing instruments in forging chains for themselves. But time and truth have dissipated the delusion, and opened their eyes. They see now that France has sincerely wished peace, and their seducers have wished war, as well for the loaves and fishes which arise out of war expenses, as for the chance of changing the constitution, while the people should have time to contemplate nothing but the levies of men and money. Pennsylvania, Jersey, and New York are coming majestically round to the true principles. In Pennsylvania, thirteen out of twenty-two counties had already petitioned on the alien and sedition laws. Jersey and New York had begun the same movement, and though the rising of Congress stops that channel for the expression of their sentiment, the sentiment is going on rapidly, and before their next meeting those three States will be solidly embodied in sentiment with the six southern and western ones. The atrocious proceedings of France towards this country had well nigh destroyed its liberties. The Anglomens and monocrats had so artfully confounded the cause of France with that of freedom, that both went down in the same scale. I sincerely join you in abjuring all political connection with every foreign power : and though I cordially wish well to the progress of liberty in all nations, and would for ever give it the weight of our countenance, yet they are not to be touched without contamination, from their other bad principles. Commerce with all nations, alliance with none, should be our motto."

TO E. RANDOLPH.—" Of all the doctrines which have ever been broached by the federal government, the novel one, of the common law being in force and cognizable as an existing law in their courts, is to me the most formidable. All their other assumptions of ungiven powers have been in the detail. The bank law, the treaty doctrine, the sedition act, alien act, the undertaking to change the State laws of evidence in the State courts by certain parts of the stamp act, &c. &c. have been solitary, unconsequential, timid things, in comparison with the audacious, barefaced, and sweeping pretension to a system of law for the United States, without the adoption of their legislature, and so infinitely beyond their power to adopt. If this assumption be yielded to, the State courts may be shut up, as there will then be nothing to hinder citizens of the same State suing each other in the federal courts in every case. as

on a bond for instance, because the common law obliges payment of it, and the common law they say is their law. * * *

"I think it will be of great importance, when you come to the proper part, to portray at full length the consequences of this new doctrine, that the common law is the law of the United States, and that their courts have, of course, jurisdiction co-extensive with the law, that is to say, general over all cases and persons. But great heavens! Who could have conceived in 1789, that within ten years we should have to combat such windmills."

TO S. ADAMS.—"A letter from you, my respectable friend, after three and twenty years of separation, has given me a pleasure I cannot express. It recalls to my mind the anxious days we then passed in struggling for the cause of mankind. Your principles have been tested in the crucible of time, and have come out pure. You have proved that it was monarchy, and not merely British monarchy, you opposed. A government by representatives, elected by the people at *short* periods, was our object, and our maxim at that day was, 'Where annual election ends, tyranny begins;' nor have our departures from it been sanctioned by the happiness of their effects. A debt of an hundred millions growing by usurious interest, and an artificial paper phalanx overruling the agricultural mass of our country, with other *et ceteras*, have a portentous aspect.

"I fear our friends on the other side the water, laboring in the same cause, have yet a great deal of crime and of misery to wade through. My confidence had been placed in the head, not in the heart of Bonaparte. I hoped he would calculate truly the difference between the fame of a Washington and a Cromwell. Whatever his views may be, he has at least transferred the destinies of the republic from the civil to the military arm. Some will use this as a lesson against the practicability of republican government. I read it as a lesson against the danger of standing armies.

"Adieu, my ever respected and venerable friend. May that kind overruling Providence which has so long spared you to our country, still foster your remaining years with whatever may make them comfortable to yourself and soothing to your friends. Accept the cordial salutations of your affectionate friend."

TO G. GRANGER.—"The true theory of our constitution is surely the wisest and best, that the States are independent as to every thing within themselves, and united as to every thing respecting foreign nations. Let the General Government be reduced to foreign concerns only, and let our affairs be disentangled from those of all other nations, except as to commerce, which the merchants will manage the better, the more they are left free to manage for themselves, and our General Government may be reduced to a very simple organization, and a very unexpensive one; a few plain duties to

be performed by a few servants. But I repeat, that this simple and economical mode of government can never be secured, if the New England States continue to support the contrary system. I rejoice, therefore, in every appearance of their returning to those principles which I had always imagined to be almost innate in them. In this State, a few persons were deluded by the X. Y. Z. duperies. You saw the effect of it in our last Congressional representatives, chosen under their influence. This experiment on their credulity is now seen into, and our next representation will be as republican as it has heretofore been. On the whole, we hope, that by a part of the Union having held on to the principles of the constitution, time has been given to the States to recover from the temporary phrenzy into which they have been decoyed, to rally round the constitution, and to rescue it from the destruction with which it had been threatened even at their own hands."

To Doctor RUSH.—"I promised you a letter on christianity, which I have not forgotten. On the contrary, it is because I have reflected on it, that I find much more time necessary for it than I can at present dispose of. I have a view of the subject which ought to displease neither the rational Christian nor Deist, and would reconcile many to a character they have too hastily rejected. I do not know that it would reconcile the *genus irritabile vatum*, who are all in arms against me. Their hostility is on too interesting ground to be softened. The delusion into which the X. Y. Z. plot showed it possible to push the people; the successful experiment made under the prevalence of that delusion on the clause of the constitution, which, while it secured the freedom of the press, covered also the freedom of religion, had given to the clergy a very favorite hope of obtaining an establishment of a particular form of christianity through the United States; and as every sect believes its own form the true one, every one perhaps hoped for his own, but especially the Episcopalians and Congregationalists. The returning good sense of our country threatens abortion to their hopes, and they believe that any portion of power confided to me, will be exerted in opposition to their schemes. And they believe rightly: for I have sworn, upon the altar of God, eternal hostility against every form of tyranny over the mind of man. But this is all they have to fear from me; and enough too in their opinion. And this is the cause of their printing lying pamphlets against me, forging conversations for me with Mazzei, Bishop Madison, &c. which are absolute falsehoods without a circumstance of truth to rest on: falsehoods, too, of which I acquit Mazzei and Bishop Madison, for they are men of truth."

Despairing of making any head against the monarchical ascendency in Congress, where they were brow-beaten by a bold and

overwhelming majority, the republican leaders formed the determination, on the recommendation of Mr. Jefferson, to abandon that ground, one and all, to retire within their respective State Legislatures, 'embody whatsoever resistance they could, and if ineffectual, to perish there as in the last ditch.' This course was accordingly adopted. Mr. Jefferson remained alone in the Senate, where his office confined him, and Mr. Gallatin, in the House. Continuing undismayed at their posts, in defiance of the insults and indignities of the dominant faction, they preserved the republicans in Congress, in firm phalanx, until the State Legislatures could bring up the weight of their resistance. Mr. Madison went into the Virginia Legislature, and Mr. Nicholas into the Legislature of Kentucky. At a consultation between these gentlemen and Mr. Jefferson, it was agreed, that the engaging the co-operation of these two States, who were wedded in principle and sympathy, in an energetic protestation against the constitutionality of various acts of administration, particularly the Alien and Sedition laws, would be the best method of manifesting the public sentiment, and awaking the people to a proper cognizance of their affairs. Mr. Jefferson was pressed by the other gentlemen to draft the necessary resolutions for this purpose, to be offered to the Legislature of Kentucky. After a solemn assurance given, that it should never be known from what quarter they came, he consented; and Mr. Nicholas undertook, on his part, to propose and carry them through. Accordingly on the 10th of November, 1798, they were proposed by Mr. Nicholas, and passed with great unanimity.

These were the celebrated "Kentucky Resolutions," which are allowed to have saved the Constitution in its last struggle. They were followed, the next month, by the equally celebrated "Virginia Resolutions," drawn by Mr. Madison, on principles entirely analogous; and afterwards, by corresponding demonstrations of political sentiment in other republican States. They are too voluminous to admit insertion, *in extenso*. The principles advanced by them, established the republican creed on the fundamental and agitating question concerning the distribution of powers, intended by the Constitution, between the General and State Governments. They resolved, that the general compact of union between the States, was constituted for special purposes, and with certain definite powers, each State reserving to itself the residuary mass of right for

self government. That whenever the General Government assumed undelegated powers, its acts were inauthoritative and void ; and that each State, being an integral party to the compact, of which there was no common judge, had a right to judge for itself, as well of infractions, as of the mode and measure of redress. After demonstrating the unconstitutionality of the Alien and Sedition laws, on a variety of grounds, and by a series of elaborate deductions, after declaring an inviolable attachment to the Union, and an anxious desire for its preservation, the resolutions conclude as follows :

“ That these and successive acts of the same character, unless arrested on the threshold, may tend to drive these States into revolution and blood, and will furnish new calumnies against republican governments, and new pretexts for those who wish it to be believed, that man cannot be governed but by a rod of iron ; that it would be a dangerous delusion, were a confidence in the men of our choice, to silence our fears for the safety of our rights ; that confidence is every where the parent of despotism ; free government is founded in jealousy and not in confidence ; it is jealousy and not confidence which prescribes limited Constitutions to bind down those whom we are obliged to trust with power ; that our Constitution has accordingly fixed the limits to which and no further our confidence may go ; and let the honest advocate of confidence read the Alien and Sedition acts, and say if the Constitution has not been wise in fixing limits to the Government it created, and whether we should be wise in destroying those limits ? Let him say what the Government is if it be not a tyranny, which the men of our choice have conferred on the President, and the President of our choice has assented to and accepted over the friendly strangers, to whom the mild spirit of our country and its laws had pledged hospitality and protection ; that the men of our choice have more respected the bare suspicions of the President, than the solid rights of innocence, the claims of justification, the sacred force of truth, and the forms and substance of law and justice. In questions of power then let no more be heard of confidence in man, but bind him down from mischief, by the chains of the Constitution. That this Commonwealth does therefore, call on its Co-States for an expression of their sentiments on the acts concerning Aliens, and for the punishment of certain crimes herein before specified, plainly declaring whether these acts are or are not authorized by the Federal Compact. And it doubts not that their sense will be so announced, as to prove their attachment unaltered to limited government, whether general or particular, and that the rights and liberties of their Co-States, will be exposed to no dangers by remaining

embarked on a common bottom with their own—That they will concur with this Commonwealth in considering the said acts as so palpably against the Constitution, as to amount to an undisguised declaration, that the compact is not meant to be the measure of the powers of the General Government, but that it will proceed in the exercise over these States of all powers whatsoever—That they will view this as seizing the rights of the States, and consolidating them in the hands of the General Government with a power assumed to bind the States, (not merely in cases made Federal,) but in all cases whatsoever, by laws made, not with their consent, but by others against their consent—That this would be to surrender the form of government we have chosen, and to live under one deriving its powers from its own will, and not from our authority—and that the Co-States recurring to their natural right in cases not made Federal, will concur in declaring these acts void and of no force, and will each unite with this Commonwealth in requesting their repeal at the next session of Congress.”

From the warmth with which Mr. Jefferson embarked in opposition to the administration, it might be inferred that he permitted his political feelings to influence him in the discharge of his official duties. But this was not the case. He presided over the Senate, with a dignity never excelled, and, although composed for the most part of his political enemies, with an impartiality, which the rancor and madness of the times never attempted to impeach. How attentive he was to the duties of his station, and how accurately he understood the rules of parliamentary order, incident to that station, is attested by his “MANUAL,” a work which he at this time published, and which has ever since been the guide of both Houses of Congress.

Soon after the election of Mr. Adams, the political contest for his successor was renewed with increased vehemence and agitation. Mr. Jefferson was again, with one accord, selected as the republican candidate for the Presidency, and Aaron Burr of New York, for the office of Vice President. With equal unanimity, John Adams, the incumbent, and Charles C. Pinkney of South Carolina, were designated as the candidates of the federal party.

It would be a tedious and painful task to describe the long and terrible ordeal of bigotry, fanaticism, political malevolence and vituperation, through which Mr. Jefferson was called to pass. The general character of those scandalous annals is matter of proverbial notoriety. The press was made to groan with daily and inor-

dinate ravings against a public character, whose principles had revolutionized one hemisphere, and astonished and agitated the other ; and whose only crime was, that he had not joined in the audacious conspiracy to cheat the people of all that they had recovered and consecrated by their blood and treasure. The pulpit was debauched into the profligate service, and became the ready handmaid of the press, in echoing and re-echoing the licentious reprobations of the monarchical faction. No one who was a stranger to that tremendous contest, can adequately conceive the diabolism and insanity of the pulpit fulminations and pamphleteering anathemas of the traitorous conspirators of Church and State, to identify republicanism with infidelity, and sink them irrecoverably together. Every instrument of imposition was employed, and every species of engine which could be brought to bear upon the human passions, was resorted to for intimidation, for crushing the power of thought and speech, and perpetuating a delusion, little inferior to New England witchcraft, under which the combination of political Maratists and clerical alarmists had undertaken to bind the understandings of the people, and trample their rights in the dust. The clergy of New England were the chiefest of the movers and participators in this atrocious crusade against the principles of the Revolution, and their adoring, persevering advocate ; for they believed, and believed rightly, that every portion of power committed to him would be exerted in eternal opposition to their schemes.

Time would fail us to specify the innumerable fabrications of crime and scurrility, with which the myrmidons of monarchism attempted to blacken and beat down the character of the republican candidate. He was accused of having betrayed his native State into the hands of the enemy on two occasions, while at the head of the government, by a cowardly abandonment of Richmond, on the sudden invasion of Arnold, and subsequently, by an ignominious flight from Monticello, on the approach of Tarlton, with circumstances of such panic and precipitation as to occasion a fall from his horse, and the dislocation of his shoulder. He was charged with being the libeler of Washington, and the retainer of mercenary libelers to blast the reputation of the father of his country. He was accused of implacable hostility to the Constitution, of employing foreign scribblers to write it down ; and of aiming at the annihilation of all law, order, and government, and the introduc-

tion of general anarchy and licentiousness. He was familiarly characterized as an atheist, and the patron saint of French atheists, whom he encouraged to migrate to this country ; as a demagogue and disorganizer, industriously sapping the foundations of religion and virtue, and insidiously paving the way for the establishment of a legalized system of infidelity and libertinism. Decency would revolt were we to pursue the catalogue into that low region of obscene invective, which was employed to vilify his *private* character, and which abounded in fabrications that have been the theme of infinite lampoonry, in prose and verse.

While the madness of faction was thus raging, and attempting to despoil him of his well earned reputation, Mr. Jefferson remained a passive spectator of the scene. Covered with the impenetrable ægis of truth, and supported by a proud consciousness of his innocence, he surveyed, with godlike composure, the impotent tempest of detraction which was furiously howling around him. He was not insensible under the ferocious depredations upon his character ; on the contrary, no man was more feelingly alive to unmerited censure, or to well-grounded applause. But his confidence in the ultimate justice of public opinion was even stronger than his sensibility under its temporary reproaches, and he quietly submitted to the licentiousness of the press, as an alloy which was inseparable from the inestimable boon of its freedom. Besides, he felt a glorious and animating pride in being made the subject of the first great experiment in the world, which was to test the soundness of his favorite principle, ‘that freedom of discussion, unaided by power, was sufficient for the protection and propagation of truth.’ Although frequently solicited by his friends, he never would descend to a newspaper refutation of a single calumny ; and he never, in a single instance, appealed to the righteous retribution of the laws. “I know,” he wrote to a friend in Connecticut, “that I might have filled the courts of the United States with actions for these slanders, and have ruined, perhaps, many persons who are not innocent. But this would be no equivalent for the loss of character. I leave them, therefore, to the reproof of their own consciences. If these do not condemn them, there will yet come a day when the false witness will meet a judge who has not slept over his slanders. If the Rev. Cotton Mather Smith, of Shena, believed this as firmly as I do, he would surely never have affirmed that I had obtained my property

by fraud and robbery ; that in one instance I had defrauded and robbed a widow and fatherless children of an estate to which I was executor, of ten thousand pounds sterling, by keeping the property and paying them in money at the nominal rate, when it was worth no more than forty to one ; and that all this could be proved." Every tittle of this pulpit denunciation was founded in falsehood. Mr. Jefferson never was executor but in two instances, which happened about the beginning of the Revolution ; and he never meddled in either executorship. In one of the cases only were there a widow and children. She was his sister, and retained and managed the estate exclusively in her own hands. In the other case, he was co-parcener, and only received on division the equal portion allotted him. Again, his property was all patrimonial, except about seven or eight hundred pounds' worth, purchased by himself and paid for, not to widows and orphans, but to the gentleman from whom he purchased. The charges against Mr. Jefferson were indeed so audacious, and persevered in with such unblushing assurance, as to excite the solicitude of his friends in different sections of the Union ; and they addressed him frequent letters of inquiry on the subject. These he invariably answered with the frankness and liberality which belonged to his disposition ; but he annexed to every answer a restraint against its publication. In a letter of this kind to Samuel Smith of Maryland, he concludes :

"These observations will show you how far the imputations in the paragraph sent me approach the truth. Yet they are not intended for a newspaper. At a very early period of my life, I determined never to put a sentence into any newspaper. I have religiously adhered to the resolution through my life, and have great reason to be contented with it. Were I to undertake to answer the calumnies of the newspapers, it would be more than all my own time and that of twenty aids could effect. For while I should be answering one, twenty new ones would be invented. I have thought it better to trust to the justice of my countrymen, that they would judge me by what they *see* of my conduct on the stage where they have placed me, and what they knew of me *before* the epoch, since which a particular party has supposed it might answer some view of theirs to vilify me in the public eye. Some, I know, will not reflect how apocryphal is the testimony of enemies so palpably betraying the views with which they give it. But this is an injury to which duty requires every one to submit whom the public think proper to call into its councils. I thank you, my dear Sir, for the interest you have for me on this occasion. Though I have made

up my mind not to suffer calumny to disturb my tranquillity, yet I retain all my sensibilities for the approbation of the good and just. That is, indeed, the chief consolation for the hatred of so many, who, without the least personal knowledge, and on the sacred evidence of Porcupine and Fenno alone, cover me with their implacable hatred. The only return I will ever make them, will be to do them all the good I can, in spite of their teeth."

The result of this memorable conflict is fresh in the minds of our countrymen. It established an illustrious epoch in the history of the world. How consolatory to the friend of man, how inspiring to the votary of human rights, under every pressure of adversity, is the recollection of that bloodless and glory-hallowed triumph! It realized, beyond the power of future dismay, the confidence of those who believe that man may be intrusted with the government of his affairs, while it carried a proportional abortion to the hopes and machinations of the apostate revilers of republicanism. Its memory will be immortal, as the era of the political resurrection of man, by the triumphant re-establishment, under new and better auspices, of the sacred principles of the Revolution.

Mr. Jefferson was successful over his competitor by a vote of seventy-three to sixty-five, in the electoral colleges. The states of New York, Virginia, South Carolina, Georgia, Kentucky and Tennessee, were unanimous for him. The New England states, with Delaware and New Jersey, were unanimous for Mr. Adams. Pennsylvania and North Carolina, acting by districts, gave a majority of votes to Mr. Jefferson; and Maryland was equally divided between the two candidates.

But owing to a strange defect in the Constitution, or an unaccountable inattention to its provisions, an unexpected contingency arose which threatened to reverse the declared will of the nation, and to place in the Executive Chair a man, who, it was notorious, had not received a solitary vote for that station. Mr. Jefferson was elected President, and Aaron Burr Vice President, by an *equal* number of votes; and, as the Constitution required no specification of the office, for which each respectively was designed, but simply confined the choice to the person having the highest number of votes, the consequence was that neither had the majority required by law. Under this dilemma, the election devolved on the House of Representatives, and produced storms of an unprecedented character. The federalists seized on the occasion, as a capital one for

acting on the monarchical principle of corruption, and bidding defiance to the acknowledged suffrage of the people. They held a private caucus, and resolved on the daring alternatives, either to elect Burr in the room of Jefferson, or, by preventing a choice altogether, to create an interregnum. In the latter event, they agreed to pass an act of Congress, devolving the government on a President, pro tem, of the Senate, who would of course be a person of their choice. On the developement of this conspiracy, a tremendous sensation was excited. The republicans declared, one and all, openly and firmly, that in the event of a legislative usurpation, devolving the government on a President of the Senate, the republican states *would instantly arm*, and resist the usurpation by force.

On the 11th of February, the House proceeded in the manner prescribed by the Constitution to elect a President of the United States. The representatives were required to vote by States, instead of by persons. On opening the ballots it appeared there were eight states for Mr. Jefferson, six for Colonel Burr, and two divided; consequently there was no choice. The process was repeated, and the same result was indicated; through FIVE successive days and nights, and THIRTY-FIVE ballotings. During this long and awful suspense, the decision depended on a single vote! Either one of the federalists from the divided States, Vermont and Maryland, coming over to the republican side, would have made a ninth State, and decided the election in favor of Mr. Jefferson. But the opposition appeared invincible in the resolution to have a minority President, or to break up the elective succession. The republicans, on the other hand, deserve eternal praises for the inflexibility of their adherence to the will of the people. Various and weighty overtures were made to them, but they resisted them all: while, what is equally honorable, not a single overture is pretended to have proceeded from them! Their fidelity on this occasion, was even stronger than their love of existence; for while they were equally incapable of being either the subjects or the agents of corruption, they would have resigned their lives, at any moment, to have saved the election of Mr. Jefferson. A precious reminiscence, in proof of this assertion, is related by a distinguished lady* of Washington:—"Mr. N. one of the representatives from Maryland, had been for

* Mrs. S. H. Smith. See Mrs. Hale's Magazine, Nov. 1831.

some weeks confined to his bed, and was so ill that his life was considered in danger ; ill as he was, he insisted on being carried to the Hall of Representatives, in order to give his vote. The physicians absolutely forbid such a proceeding ; he insisted, and they appealed to his wife, telling her that such a removal, and the consequent excitement, might prove fatal to his life. ‘Be it so, then,’ said she, ‘if my husband must die, let it be at the post of duty ; no weakness of mine shall oppose his noble resolution.’ How little did these physicians expect, when they appealed to the influence of one of the fondest and most devoted of wives, this more than Spartan courage, and in an American, to find a Roman matron ! Of course they withdrew their opposition ; the patient was carried, in a litter, to the Capitol, where a bed was prepared for him in an anti-room adjoining the Senate Chamber, followed by his heroic wife, where, during the four or five days and nights of balloting, she remained by his side ; supporting by various restoratives, but more by her presence, the strength of the feeble and almost expiring invalid, who with difficulty traced the name of Jefferson each time the ballot box was handed to him. Such was the spirit of that day—the spirit of that party !”

Finally, on the thirty-sixth ballot, the opposition gave way, apparently from sheer exhaustion. Mr. Morris of Vermont withdrew, which enabled his only colleague, Lyon, to give the vote of that State to Mr. Jefferson. The four federalists from Maryland, who had hitherto supported Burr, voted blanks, which made the positive ticket of their colleagues the vote of that State. South Carolina and Delaware, both represented by federalists, voted blanks. So there were, on the last ballot, ten States for Mr. Jefferson, four for Colonel Burr, and two blanks.* The result, on being proclaimed, was greeted with loud and reiterated bursts of applause from the galleries, which were immediately ordered by the Speaker to be cleared. Mr. Jefferson did not receive a federal, nor Colonel Burr a democratic vote. The latter became, of course, Vice President ; but his apostacy separated him irretrievably from the confidence of the re-

* On the last ballot, Vermont, New York, New Jersey, Pennsylvania, Maryland, Virginia, North Carolina, Georgia, Kentucky and Tennessee, voted for Mr. Jefferson. New Hampshire, Massachusetts, Connecticut, and Rhode Island, for Colonel Burr. Delaware and South Carolina, voted blanks.

publicans, while it demonstrated his fitness for those treasonable purposes of ambition which he subsequently manifested.

During the five days' pendency of the election, unwearied exertions were made by the federalists, to seduce Mr. Jefferson from his political principles, and to obtain from him terms and promises. But his virtue was impregnable. He uniformly and unequivocally declared to them, that he 'would not receive the government on capitulation, nor go into it with his hands tied.' Coming out of the Senate Chamber one day, he found Gouverneur Morris on the steps, who stopped him, and began a conversation on the strange and portentous state of things then existing. He went on to observe that the reasons why the minority of States was so opposed to his (Jefferson's) election, were, 1, He would turn all the federalists out of office; 2, Put down the navy; 3, Wipe off the public debt. That he need only declare, or authorize his friends to declare, that he would not take these steps, and instantly the event of the election would be fixed. Mr. Jefferson replied, that he should leave the world to judge of the course he intended to pursue, by that which he had pursued hitherto, believing it his duty to be passive and silent during the present scene; that he should never go into the office of President with his hands tied by any conditions which should hinder him from pursuing the measures which he should deem for the public good.

About the same time, he called on Mr. Adams, and they conversed together on the existing state of things. Mr. Jefferson observed, that a very dangerous experiment was then in contemplation, to defeat the Presidential election by an act of Congress declaring the right of the Senate to name a President of their body, to devolve on him the government during any interregnum; that such a measure would probably produce resistance by force, and incalculable consequences, which it would be in his power to prevent by negating such an act. Mr. Adams appeared to think the expedient justifiable, and observed that it was in Mr. Jefferson's power to decide the election in an instant, by declaring he would not turn out the federal officers, nor put down the navy, nor sponge the national debt. Finding his opinion decided on the propriety of a legislative usurpation of the government, Mr. Jefferson pressed the point no farther, but observed that the world must judge as to himself of the

future by the past, and turned the conversation on other subjects.* The same propositions were intimated to him, about the same time, by Dwight Foster, of Massachusetts, and the same unequivocal and unyielding attitude was maintained. The causes of the final abandonment of the contest by the federalists, are stated in the following extracts from the private correspondence of Mr. Jefferson, one of which was written immediately before, and the other immediately after the decision of the question.

“ Four days of balloting have produced not a single change of a vote. Yet it is confidently believed by most that to-morrow there is to be a coalition. I know of no foundation for this belief. However, as Mr. Tyler waits the event of it, he will communicate it to you. If they could have been permitted to pass a law for putting the government into the hands of an officer, they would certainly have prevented an election. But we thought it best to declare openly and firmly, one and all, that the day such an act passed, the middle States would arm, and that no such usurpation, even for a single day, should be submitted to. This first shook them ; and they were completely alarmed at the resource for which we declared, to wit, a convention to re-organize the government, and to amend it. The very word *convention* gives them the horrors, as in the present democratical spirit of America, they fear they should lose some of the favorite morsels of the constitution. Many attempts have been made to obtain terms and promises from me. I have declared to them unequivocally, that I would not receive the government on capitulation, that I would not go into it with my hands tied. Should they yield the election, I have reason to expect in the outset the greatest difficulties as to nominations. The late incumbents running away from their offices and leaving them vacant, will prevent my filling them without the *previous* advice of Senate. How this difficulty is to be got over I know not.”

“ The minority of the House of Representatives, after seeing the impossibility of electing Burr, the certainty that a legislative usurpation would be resisted by arms, and a recourse to a convention to re-organize and amend the government, held a consultation on this dilemma, whether it would be better for them to come over in a body and go with the tide of the times, or by a negative conduct suffer the election to be made by a bare majority, keeping their body entire and unbroken, to act in phalanx on such ground of opposition as circumstances shall offer : and I know their determination on this question only by their vote of yesterday. Morris of Vermont with-

* Ana.

drew, which made Lyon's vote that of his State. The Maryland federalists put in four blanks, which made the positive ticket of their colleagues the vote of the State. South Carolina and Delaware put in six blanks. So there were ten states for one candidate, four for another, and two blanks. We consider this, therefore, as a declaration of war, on the part of this band. But their conduct appears to have brought over to us the whole body of federalists, who, being alarmed with the danger of a dissolution of the government, had been made most anxiously to wish the very administration they had opposed, and to view it when obtained, as a child of their own."

During the long and doubtful struggle in the House of Representatives, the public mind was in a state of feverish and agonizing suspense, throughout the country. The republicans were oppressed with dismay and gloom at the prospect before them ; while the federalists, who had every thing to gain, and nothing to lose by the event, were intoxicated with delight. But this unnatural order of things was destined to be short-lived. Soon the scene was reversed. When the issue became known, one universal sentiment of exultation animated the great republican party of the Union. The intelligence was greeted with the thunder of artillery, and the peals of popular huzzas, in every city, town, and village on the continent. Reasonable men gave loose to the most extravagant demonstrations of joy. When the first moments of the enthusiasm had subsided, grave and systematic measures of public felicitation were every where put in motion. Orations, illuminations, processions, balls, banquets and toasts, characterized the occasion as the great republican jubilee of the American nation. The inspiring chorus* of "Jefferson and liberty," kindled on every patriot tongue, and reverberated from every mountain, through every glen, from the Mississippi to the St. Lawrence. Innumerable addresses of congratulation, by individuals and public bodies, poured in upon the newly elected President, rife with expressions of personal attachment, and of enthusiastic devotion to republican principles.

The federal dynasty died hard. Like an Herculean victim, grappling with destiny, it expired with a terrible repetition of struggles. When the moment of dissolution approached, a last and desperate

* Rejoice ! Columbia's sons, rejoice !
To tyrants never bend the knee,
But join with heart, and soul and voice
For JEFFERSON and LIBERTY.

rush was made to seize on all the offices of the government, whose tenure would make it difficult to dislodge them, particularly the Judiciary. John Jay was nominated Chief Justice, in the room of Ellsworth, resigned; Theophilus Parsons, Attorney General; Harrison G. Otis, District Attorney of Massachusetts; James A. Bayard, Minister Plenipotentiary to France; all of them chiefs of the repudiated regency, with a host of subordinate appointments, from the same political ranks. Finally, the celebrated 'batch of midnight judges,' to the number of about twenty, were entrenched behind the new limb of the judiciary system, which was intended as a precious depository for the remains of federal power. These last acts of the expiring oligarchy, the object of which was, either to compel Mr. Jefferson to execute the government by federal aids and counsellors, or subject him to the odious operation of such multiplied removals as should bear him down, proved as impolitic and suicidal, in the end, as they were embarrassing to the new administration. They were extremely grating to public sentiment, and revolted a numerous body of the federalists from their impassioned leaders.

The following letters of Mr. Jefferson, written in the course of the first two months after his election, develope in his usual felicitous manner, the state of political parties at that memorable period, as well as the general principles of policy, on which he designed to conduct the administration of the government. Some of them were in answer to the gratulatory addresses of his ancient and venerated co-adjutors of the Revolution, and they derive additional interest from that circumstance.

TO J. DICKINSON.—“No pleasure can exceed that which I received from reading your letter of the 21st ultimo. It was like the joy we expect in the mansions of the blessed, when received with the embraces of our forefathers, we shall be welcomed with their blessing as having done our part not unworthily of them. The storm through which we have passed, has been tremendous indeed. The tough sides of our Argosie have been thoroughly tried. Her strength has stood the waves into which she was steered, with a view to sink her. We shall put her on her republican tack, and she will now show by the beauty of her motion the skill of her builders. Figure apart, our fellow-citizens have been led hood-winked from their principles by a most extraordinary combination of circumstances. But the band is removed, and they now see for themselves. I hope to see shortly a perfect consolidation, to effect which, nothing shall be spared on my part, short of the abandonment of the princi-

ples of our revolution. A just and solid republican government maintained here, will be a standing monument and example for the aim and imitation of the people of other countries ; and I join with you in the hope and belief that they will see, from our example, that a free government is of all others the most energetic ; that the inquiry which has been excited among the mass of mankind by our revolution and its consequences, will ameliorate the condition of man over a great portion of the globe. What a satisfaction have we in the contemplation of the benevolent effects of our efforts, compared with those of the leaders on the other side, who have discountenanced all advances in science as dangerous innovations, have endeavored to render philosophy and republicanism terms of reproach, to persuade us that man cannot be governed but by the rod, &c. I shall have the happiness of living and dying in the contrary hope."

TO S. ADAMS.—" I addressed a letter to you, my very dear and ancient friend, on the 4th of March : not indeed to you by name, but through the medium of some of my fellow-citizens, whom occasion called on me to address. In meditating the matter of that address, I often asked myself, Is this exactly in the spirit of the patriarch, Samuel Adams ? Is it as he would express it ? Will he approve of it ? I have felt a great deal for our country in the times we have seen. But individually for no one so much as yourself. When I have been told that you were avoided, insulted, frowned on, I could but ejaculate, ' Father, forgive them, for they know not what they do.' I confess I felt an indignation for you, which for myself I have been able, under every trial, to keep entirely passive. However, the storm is over, and we are in port. The ship was not rigged for the service she was put on. We will show the smoothness of her motions on her republican tack. I hope we shall once more see harmony restored among our citizens, and an entire oblivion of past feuds. Some of the leaders, who have most committed themselves, cannot come into this. But I hope the great body of our fellow-citizens will do it. I will sacrifice every thing but principle to procure it. A few examples of justice on officers who have perverted their functions to the oppression of their fellow-citizens, must, in justice to those citizens, be made. But opinion, and the just maintenance of it, shall never be a crime in my view ; nor bring injury on the individual. Those whose misconduct in office ought to have produced their removal even by my predecessor, must not be protected by the delicacy due only to honest men. How much I lament that time has deprived me of your aid. It would have been a day of glory which should have called you to the first office of the administration. But give us your counsel, my friend, and give us your blessing : and be assured that there exists not in the heart of man a more faithful esteem than mine to you, and that I shall ever bear you the most affectionate veneration and respect."

TO R. R. LIVINGSTON.—“ The constitution, to which we are all attached, was meant to be republican, and we believe to be republican according to every candid interpretation. Yet we have seen it so interpreted and administered, as to be truly what the French have called it, a *monarchie masque*. Yet so long has the vessel run on this way and been trimmed to it, that to put her on her republican tack will require all the skill, the firmness, and the zeal of her ablest and best friends. It is a crisis which calls on them to sacrifice all other objects, and repair to her aid in this momentous operation. Not only their skill is wanting, but their names also. It is essential to assemble in the outset persons to compose our administration, whose talents, integrity, and revolutionary name and principles may inspire the nation, at once, with unbounded confidence, and impose an awful silence on all the maligners of republicanism ; as may suppress in embryo the purpose avowed by one of their most daring and effective chiefs, of beating down the administration. These names do not abound at this day. So few are they, that yours, my friend, cannot be spared among them without leaving a blank which cannot be filled. If I can obtain for the public the aid of those I have contemplated, I fear nothing. If this cannot be done, then are we unfortunate indeed ! We shall be unable to realize the prospects which have been held out to the people, and we must fall back into monarchism, for want of heads, not hands, to help us out of it. This is a common cause, my dear Sir, common to all republicans. Though I have been too honorably placed in front of those who are to enter the breach so happily made, yet the energies of every individual are necessary, and in the very place where his energies can most serve the enterprise. I can assure you that your colleagues will be most acceptable to you ; one of them, whom you cannot mistake, peculiarly so. The part which circumstances constrain us to propose to you, is the secretaryship of the navy. These circumstances cannot be explained by letter. Republicanism is so rare in those parts which possess nautical skill, that I cannot find it allied there to the other qualifications. Though you are not nautical by profession, yet your residence and your mechanical science qualify you as well as a gentleman can possibly be, and sufficiently to enable you to choose under agents perfectly qualified, and to superintend their conduct. Come forward then, my dear Sir, and give us the aid of your talents and the weight of your character towards the new establishment of republicanism ; I say, for its new establishment ; for hitherto, we have seen only its *travestie*.”

TO GOV. M'KEAN.—“ I have to acknowledge the receipt of your favor of February the 20th, and to thank you for your congratulations on the event of the election. Had it terminated in the elevation of Mr. Burr, every republican would, I am sure, have acquiesced in a moment ; because, however it might have been variant from the

intentions of the voters, yet it would have been agreeable to the constitution. No man would more cheerfully have submitted than myself, because I am sure the administration would have been republican, and the chair of the Senate permitting me to be at home eight months in the year, would, on that account, have been much more consonant to my real satisfaction. But in the event of an usurpation, I was decidedly with those who were determined not to permit it. Because that precedent, once set, would be artificially reproduced, and end soon in a dictator. Virginia was bristling up, I believe."

TO DOCTOR PRIESTLY.—"I learned some time ago that you were in Philadelphia, but that it was only for a fortnight ; and I supposed you were gone. It was not till yesterday I received information that you were still there, had been very ill, but were on the recovery. I sincerely rejoice that you are so. Yours is one of the few lives precious to mankind, and for the continuance of which every thinking man is solicitous. Bigots may be an exception. What an effort, my dear Sir, of bigotry in politics and religion have we gone through. The barbarians really flattered themselves they should be able to bring back the times of Vandalism, when ignorance put every thing into the hands of power and priestcraft. All advances in science were proscribed as innovations. They pretended to praise and encourage education, but it was to be the education of our ancestors. We were to look backwards not forwards for improvement : the President himself declaring in one of his answers to addresses, that we were never to expect to go beyond them in real science. This was the real ground of all the attacks on you : those who live by mystery and *charlatanerie*, fearing you would render them useless by simplifying the Christian philosophy, the most sublime and benevolent but most perverted system that ever shone on man, endeavored to crush your well earned and well deserved fame. But it was the Lilliputians upon Gulliver. Our countrymen have recovered from the alarm into which art and industry had thrown them ; science and honesty are replaced on their high ground ; and you, my dear Sir, as their great apostle, are on its pinnacle. It is with heartfelt satisfaction that, in the first moments of my public action, I can hail you with welcome to our land, tender to you the homage of its respect and esteem, cover you under the protection of those laws which were made for the wise and good like you, and disclaim the legitimacy of that libel on legislation, which under the form of a law [alien law,] was for some time placed among them.

"As the storm is now subsiding and the horizon becoming serene, it is pleasant to consider the phenomenon with attention. We can no longer say there is nothing new under the sun. For the whole chapter in this history of man is new. The great extent of our re-

public is new. Its sparse habitation is new. The mighty wave of public opinion which has rolled over it is new. But the most pleasing novelty is, its so quietly subsiding over such an extent of surface to its true level again. The order and good sense displayed in this recovery from delusion, and in the momentous crisis which lately arose, really bespeak a strength of character in our nation which augurs well for the duration of our republic : and I am much better satisfied now of its stability, than I was before it was tried. I have been above all things solaced by the prospect which opened on us, in the event of a non-election of a President ; in which case, the federal government would have been in the situation of a clock or watch run down. There was no idea of force, nor of any occasion for it. A convention, invited by the republican members of Congress with the virtual President and Vice-President, would have been on the ground in eight weeks, would have repaired the constitution where it was defective, and wound it up again. This peaceable and legitimate resource, to which we are in the habit of implicit obedience, superseding all appeal to force, and being always within our reach, shows a precious principle of self-preservation in our composition, till a change of circumstances shall take place, which is not within prospect at any definite period."

To M. ROBINSON.—" I have to acknowledge the receipt of your favor of the 3d instant, and to thank you for the friendly expressions it contains. I entertain real hope that the whole body of your fellow citizens (many of whom had been carried away by the X. Y. Z. business) will shortly be consolidated in the same sentiments. When they examine the real principles of both parties, I think they will find little to differ about. I know, indeed, that there are some of their leaders who have so committed themselves, that pride, if no other passion, will prevent their coalescing. We must be easy with them. The Eastern States will be the last to come over on account of the dominion of the clergy, who had got a smell of union between Church and State, and began to indulge reveries which can never be realized in the present state of science. If, indeed, they could have prevailed on us to view all advances in science as dangerous innovations, and to look back to the opinions and practices of our forefathers, instead of looking forward, for improvement, a promising groundwork would have been laid. But I am in hopes their good sense will dictate to them, that since the mountain will not come to them, they had better go to the mountain : that they will find their interest in acquiescing in the liberty and science of their country, and that the Christian religion, when divested of the rags in which they have enveloped it, and brought to the original purity and simplicity of its benevolent institutor, is a religion of all others most friendly to liberty, science, and the freest expansion of the human mind."

TO E. GERRY.—“What with the natural current of opinion which has been setting over to us for eighteen months, and the immense impetus which was given it from the 11th to the 17th of February, we may now say that the United States, from New York southwardly, are as unanimous in the principles of '76, as they were in '76. The only difference is, that the leaders who remain behind are more numerous and colder than the apostles of toryism in '76. The reason is, that we are now justly more tolerant than we could safely have been then, circumstanced as we were. Your part of the Union, though as absolutely republican as ours, had drunk deeper of the delusion, and is therefore slower in recovering from it. The ægis of government, and the temples of religion and of justice, have all been prostituted there to toll us back to the times when we burnt witches. But your people will rise again. They will awake like Samson from his sleep, and carry away the gates and the posts of the city. You, my friend, are destined to rally them again under their former banners, and when called to the post, exercise it with firmness and with inflexible adherence to your own principles. The people will support you, notwithstanding the howlings of the ravenous crew from whose jaws they are escaping. It will be a great blessing to our country if we can once more restore harmony and social love among its citizens. I confess, as to myself, it is almost the first object of my heart, and one to which I would sacrifice every thing but principle. With the people I have hopes of effecting it. But their Coryphæi are incurables. I expect little from them.

“I was not deluded by the eulogiums of the public papers in the first moments of change. If they could have continued to get all the loaves and fishes, that is, if I would have gone over to them, they would continue to eulogize. But I well knew that the moment that such removals should take place, as the justice of the preceding administration ought to have executed, their hue and cry would be set up, and they would take their old stand. I shall disregard that also. Mr. Adam's last appointments, when he knew he was naming counsellors and aids for me and not for himself, I set aside as far as depends on me. Officers who have been guilty of gross abuses of office, such as marshals packing juries, &c., I shall now remove, as my predecessor ought in justice to have done. The instances will be few, and governed by strict rule, and not party passion. The right of opinion shall suffer no invasion from me. Those who have acted well, have nothing to fear, however they may have differed from me in opinion : those who have done ill, however, have nothing to hope ; nor shall I fail to do justice lest it should be ascribed to that difference of opinion. A coalition of sentiments is not for the interest of the printers. They, like the clergy, live by the zeal they can kindle, and the schisms they can create. It is contest of opinion in politics as well as religion which makes us take

great interest in them, and bestow our money liberally on those who furnish aliment to our appetite. The mild and simple principles of the Christian philosophy would produce too much calm, too much regularity of good, to extract from its disciples a support for a numerous priesthood, were they not to sophisticate it, ramify it, split it into hairs, and twist its texts till they cover the divine morality of its author with mysteries, and require a priesthood to explain them."

CHAPTER XIII.

The fourth of March, 1801, was a proud day to America. The first democratic President was inducted into office, with no other indications of solemnity, than the distant but overflowing tribute of millions of grateful hearts. The crowd of republican strangers who had thronged the city during the previous period of anxiety and agitation, had disappeared, on the understanding that it was the pleasure of the President to be made the subject of no homage or ceremony; and the vanquished party, of course, had no inclination to witness the consummation of a triumph, in which they could only participate with regret. The city of Washington had been occupied, as the seat of government, but a few months only; the number of its inhabitants, at this time, did not exceed that of a small village: the individuals composing the late administration had taken their flight, with the ex-President, early on the fourth of March; and now, divested of half its migratory population, the infant metropolis presented a solitary appearance. The wonderful simplicity of the scene and ceremony of the inauguration, is beautifully described by the Washington reminiscent, whom we have before quoted:—"The sun shone bright on that morning. The Senate was convened. Those members of the republican party that remained at the seat of government, the Judges of the Supreme Court, some citizens and gentry from the neighboring country, and about a dozen ladies made up the assembly in the Senate chamber, who were collected to witness the ceremony of the President's inauguration. Mr. Jefferson had not yet arrived. He was seen walking from his lodgings, which were not far distant, attended by five or six gentlemen, who were his fellow lodgers. Soon afterwards he entered, accom-

panied by a committee of the Senate, and bowing to the Senate, who arose to receive him, he approached a table on which the Bible lay and took the oath which was administered to him by the Chief Justice. He was then conducted, by the President of the Senate, to his chair, which stood on a platform raised some steps above the floor ; after the pause of a moment or two he arose and delivered that beautiful inaugural address which has since become so popular and celebrated, with a clear, distinct voice, in a firm and modest manner.—On leaving the chair he was surrounded by friends who pressed forward with cordial and eager congratulations, and some, though not many of the more magnanimous of his opponents, most of whom, however, silently left the chamber. The new President walked home with two or three of the gentlemen who lodged in the same house. At dinner he took his accustomed place at the bottom of the table, his new station not eliciting from his democratic friends any new attention or courtesy. A gentleman from Baltimore, an invited guest, who accidentally sat next to him, asked permission to wish him joy, ‘I would advise you’ answered Mr. Jefferson, smiling, ‘to follow my example on nuptial occasions, when I always tell the bridegroom I will wait till the end of the year before offering my congratulations.’ And this was the only and solitary instance of any notice taken of the event of the morning.”

The inaugural address of Mr. Jefferson was as novel and extraordinary, as the simplicity of the scene which ushered it before the world. For condensation of ideas, and Addisonian purity of language, it is allowed to be superior to any thing in the wide circle of political composition. In the short compass in which it is compressed, all the essential principles of free governments are stated, in detail, with the measures best calculated for their attainment and security, and an ample refutation of the adversary principles. Every word is pregnant with sentiment and reproof, and every sentence contains a text on which might be written volumes of political wisdom. After a modest exordium, in which the author lamented the inadequacy of his abilities to the magnitude of the charge, and expressed his reliance for guidance and support, on the co-ordinate functionaries of the government by whom he was surrounded, the address proceeds in the following terms :

“During the contest of opinion through which we have past, the animation of discussions and of exertions, has sometimes worn an aspect which might impose on strangers unused to think freely, and to speak and to write what they think ; but this being now decided by the voice of the nation, announced according to the rules of the constitution, all will of course arrange themselves under the will of the law, and unite in common efforts for the common good. All too will bear in mind this sacred principle, that though the will of the majority is in all cases to prevail, that will, to be rightful, must be reasonable ; that the minority possess their equal rights, which equal laws must protect, and to violate would be oppression. Let us then, fellow citizens, unite with one heart and one mind, let us restore to social intercourse that harmony and affection without which liberty, and even life itself, are but dreary things. And let us reflect that having banished from our land that religious intolerance under which mankind so long bled and suffered, we have yet gained little, if we countenance a political intolerance, as despotic, as wicked, and capable of as bitter and bloody persecutions. During the throes and convulsions of the ancient world, during the agonizing spasms of infuriated man, seeking through blood and slaughter, his long lost liberty, it was not wonderful, that the agitation of the billows should reach even this distant and peaceful shore ; that this should be more felt and feared by some, and less by others ; and should divide opinions, as to measures of safety. But every difference of opinion is not a difference of principle. We have called by different names, brethren of the same principle. We are all Republicans : we are all Federalists. If there be any among us, who would wish to dissolve this Union, or to change its republican form, let them stand undisturbed as monuments of the safety, with which error of opinion may be tolerated, where reason is left free to combat it. I know indeed, that some honest men fear, that a republican government cannot be strong ; that this government is not strong enough. But would the honest patriot, in the full tide of successful experiment, abandon a government, which has so far kept us free and firm, on the theoretic and visionary fear, that this government, the world’s best hope, may, by possibility, want energy to preserve itself ? I trust not. I believe this, on the contrary, the strongest government on earth. I believe it the only one, where every man, at the call of the law, would fly to the standard of the law, and would meet invasions of the public order, as his own personal concern. Sometimes it is said that man cannot be trusted with the government of himself. Can he then be trusted with the government of others ? Or have we found angels in the form of kings, to govern him ? Let history answer this question.

“Let us then with courage and confidence, pursue our own federal and republican principles ; our attachment to union and repre-

sentative government. Kindly separated by nature and a wide ocean from the exterminating havoc of one quarter of the globe : too high minded to endure the degradations of the others, possessing a chosen country, with room enough for our descendants to the thousandth and thousandth generation, entertaining a due sense of our equal right to the use of our own faculties, to the acquisitions of our own industry, to honor and confidence from our fellow citizens, resulting not from birth, but from our actions and their sense of them, enlightened by a benign religion, professed indeed and practiced in various forms, yet all of them inculcating honesty, truth, temperance, gratitude and the love of man, acknowledging and adoring an overruling Providence, which by all its dispensations proves that it delights in the happiness of man here, and his greater happiness hereafter ; with all these blessings, what is more necessary to make us a happy and prosperous people ? Still one thing more fellow-citizens, a wise and frugal government, which shall restrain men from injuring one another, shall leave them otherwise free to regulate their own pursuits of industry and improvement, and shall not take from the mouth of labor the bread it has earned. This is the sum of good government ; and this is necessary to close the circle of our felicities.

“About to enter, fellow citizens, on the exercise of duties, which comprehend every thing dear and valuable to you, it is proper you should understand what I deem the essential principles of our government, and consequently, those, which ought to shape its administration. I will compress them within the narrowest compass they will bear, stating the general principle, but not all its limitations.—Equal and exact justice to all men, of whatever state or persuasion, religious or political :—peace, commerce, and honest friendship with all nations, entangling alliances with none :—the support of the State governments in all their rights, as the most competent administrations for our domestic concerns, and the surest bulwarks against anti-republican tendencies :—the preservation of the general government in its whole constitutional vigor, as the sheet anchor of our peace at home, and safety abroad :—a jealous care of the right of election by the people, a mild and safe corrective of abuses which are lopped by the sword of revolution where peaceable remedies are unprovided :—absolute acquiescence in the decisions of the majority, the vital principle of republics, from which there is no appeal but to force, the vital principle and immediate parent of despotism ; a well disciplined militia, our best reliance in peace, and for the first moments of war, till regulars may relieve them : the supremacy of the civil over the military authority :—economy in the public expense, that labor may be lightly burdened :—the honest payment of our debts and sacred preservation of the public faith : encouragement of agriculture, and of commerce as its handmaid ; the diffusion of information, and arraignment of all abuses at the bar of the public reason :

—freedom of religion ; freedom of the press ; and freedom of person, under the protection of the habeas corpus : and trial by juries impartially selected. These principles form the bright constellation, which has gone before us, and guided our steps through an age of revolution and reformation. The wisdom of our sages, and blood of our heroes, have been devoted to their attainment : they should be the creed of our political faith, the text of civic instruction, the touchstone, by which to try the services of those we trust ; and should we wander from them in moments of error or of alarm, let us hasten to retrace our steps, and to regain the road which alone leads to peace, liberty and safety.

“ I repair then, fellow citizens, to the post you have assigned me. With experience enough in subordinate offices to have seen the difficulties of this the greatest of all, I have learnt to expect that it will rarely fall to the lot of imperfect man to retire from this station with the reputation, and the favor, which bring him into it. Without pretensions to that high confidence you reposed in our first and greatest revolutionary character, whose pre-eminent services had entitled him to the first place in his country’s love, and destined for him the fairest page in the volume of faithful history, I ask so much confidence only as may give firmness and effect to the legal administration of your affairs. I shall often go wrong through defect of judgment. When right I shall often be thought wrong by those whose positions will not command a view of the whole ground. I ask your indulgence for my own errors which will never be intentional ; and your support against the errors of others, who may condemn what they would not, if seen in all its parts. The approbation implied by your suffrage, is a great consolation to me for the past ; and my future solicitude will be, to retain the good opinion of those who have bestowed it in advance, to conciliate that of others by doing them all the good in my power, and to be instrumental to the happiness and freedom of all.

“ Relying then on the patronage of your good will, I advance with obedience to the work, ready to retire from it whenever you become sensible how much better choices it is in your power to make. And may that infinite Power which rules the destinies of the universe, lead our councils to what is best, and give them a favorable issue for your peace and prosperity.”

The above Inaugural of the President was not intended as an ostentatious display of his political sentiments. Every principle advanced in it was subsequently reduced to practice, which made his administration the model of every succeeding one, and the admiration of the world.

In the selection of his Cabinet Ministers, Mr. Jefferson was guided by a preference for those tried spirits, who, to talents and integrity united an undeviating adherence to ancient revolution-

ary principles. The concurrence of these two pre-requisites was deemed essential to enable him to carry into effect the system of radical reformation, which he proposed for the good of the nation. With a view to inspire unbounded confidence in his friends, and "to impose an awful silence on the maligners of republicanism," he assembled around him an array of characters, whose 'principles had been tested in the crucible of time.' James Madison was appointed Secretary of State; Albert Gallatin, Secretary of the Treasury; General Dearborn, Secretary of War; Robert Smith, Secretary of the Navy; and Levi Lincoln, Attorney General. Agreeably to the example voluntarily set by himself, the Vice President was not invited to take any part in the executive consultations. He addressed a Circular to the Heads of Departments establishing the mode and degree of communication between them and the President. All letters of business addressed to himself, were referred by him to the proper department to be acted upon. Those addressed to the Secretaries, with those referred to them, were all communicated to the President, whether an answer was required or not; in the latter case, simply for his information. If an answer was requisite, the Secretary of the department communicated the letter and his proposed answer. If approved, they were simply sent back after perusal; if not, they were returned with an informal note, suggesting an alteration or query. If any doubt of importance arose, he reserved it for conference. By this means, he was in constant and accurate possession of all facts and proceedings in every part of the Union; his eye pervaded every part of the administration; he formed a central point for the different branches, preserved an unity of object and action among them, exercised that participation in the 'gestion of affairs' which his office made incumbent on him, and drew upon himself the responsibility of every executive transaction.

At the threshold of his administration, Mr. Jefferson was met by difficulties which called into requisition all the firmness of his character. He found all the principal offices of the government, and most of the subordinate ones, in the hands of his political enemies. This state of things was as embarrassing to himself, as offensive to the republican body of his fellow citizens; and demanded prompter correctives than the tardy effects of death and resignation. On him, therefore, for the first time, devolved the disagreeable enterprize of an Augean purification. To have removed one half of the federal

officers, and placed republicans in their stead, would have been rigorous justice, when it was known that the latter composed the great majority of the people. But he carried real moderation into the performance of this duty. He restrained it to the ultimate point of forbearance, which was compatible with dissipating the monopoly of trust and influence, in the hands of the minority, and producing an equitable distribution only among the majority. The general principles of action which he sketched for his guide, were the following: 1st, All appointments to civil office, during pleasure, made after the event of the election was certainly known to Mr. Adams, were considered as nullities. He did not view the persons appointed as even candidates for the office, but replaced others without noticing or notifying them. 2d, Officers who had been guilty of *official* misconduct were proper subjects of removal. 3d, Good men, to whom there was no objection but a difference of political principle, practised on so far only as the right of a private citizen would justify, were not proper subjects of removal, except in the case of attorneys and marshals. The courts being so decidedly federal and irremovable, it was thought that those offices, being the doors of entrance, should be exercised by republican citizens, as a shield to the republican majority of the nation. 4th, Incumbents who had prostituted their offices to the oppression of their fellow citizens, ought, in justice to those citizens, to be removed, and as *examples* to deter others from like abuses. To these means of introducing republicans to a just co-operation in the transaction of the public business, was added one other in the course of his administration, to wit, removal for electioneering activity, or open and industrious opposition to the principles of the government. "Every officer of the government," said he, "may vote at elections according to his own conscience; but we should betray the cause committed to our care, were we to permit the influence of official patronage to be used to overthrow that cause." In all *new* appointments, the President confined his choice to republicans, or republican federalists. Although conciliation and an obliteration of past divisions, was the cordial desire of his heart, he firmly resisted the counsels of those who advised the bestowment of office on the 'Coryphæi' of the federal party, in order to reconcile. Such a course, he considered as involving, in the end, a certain sacrifice of principle. Even amiable and honorable monarchists were not, in his opinion, safe subjects of republican confidence. 'While

we will associate with us in affairs,' he wrote to Governor Lincoln, 'the federal sect of republicans, to a certain degree, we must strip of all the means of influence the Essex junto, and their associate monarchists in every part of the Union. The former differ from us only in the shades of power to be given to the Executive, being, with us, attached to republican government. The latter wish to sap the republic by fraud, if they cannot destroy it by force, and to erect an English monarchy in its place; some of them, (as Mr. Adams) thinking its corrupt parts should be cleansed away, others, (as Hamilton) that would make it an impracticable machine. I do not know that the regeneration of officers will be pushed farther than was settled before you left us, except as to Essex men.'

The first experiments in this department of reformation, excited a tremendous clamor against the President. Those who have witnessed the wrath, and vociferous lamentation of the press, on a recent display of the same firm policy, may form a tolerable conception of the angry temper and lachrymal effusions of the opposition, on the subject of executive displacements in 1801. The spirit of New England was the sharpest and most unaccommodating.* The Legislature of Connecticut, in the spring of 1801, made a general sweep of republicans from the State offices. "We must meet them," said the President, "with equal intolerance. When they will give a share in the State offices, they shall be replaced in a share of the General offices. Till then we must follow their example. I am sincerely sorry to see the inflexibility of the *federal* spirit there, for I cannot believe they are *all monarchists*."†

The temper of the Eastern governments was viperous indeed. The outcry of the Gazettes was vehement and inflammatory. By a strange confusion of calumny, the President was alternately stig-

* The following short paragraph, extracted from an Oration delivered at New Haven, Ct. before the State Society of Cincinnati, on the 7th of July, 1801, by Theodore Dwight, presents a true picture of the temper of the opposition east of the Hudson.

"We have now reached the consummation of DEMOCRATIC BLESSEDNESS. We have a country governed by BLOCKHEADS and KNAVES; the ties of marriage with all its felicities are severed and destroyed; our wives and daughters are thrown into the stews; our children are cast into the world from the breast forgotten; filial piety is extinguished, and our sir names, the only mark of distinction among families, are abolished. Can the imagination paint any thing more dreadful this side HELL? Some parts of the subject are indeed fit only for horrid contemplation."

† Letter to Levi Lincoln, July, 1801.

matized as a tyrant and a tool ; and by an obliquity of construction equally perverse, his Inaugural Address was tortured into a weapon against himself, by making it contain pledges and assurances, which his daily conduct was represented as violating. Some occasion of public explanation seemed desirable to the President, to obviate the grossness of this attack, as well as to tranquilize the republicans under it, who, groaning under the oppressions of the federal ascendencies at home, began to be appalled with the apprehension that an impression would be made, and their rights inadequately counter-protected by the General Government. Such an occasion was soon offered. The removal of Mr. Goodrich from the collectorship of New-Haven, who had been commissioned in the last moments of the late administration, and the substitution of Samuel Bishop in his room, produced a bitter remonstrance from the merchants of that city. The President, in his answer, improved the opportunity to silence the discontents of either party, by uniting to an ample justification of his policy, and a declared determination to pursue it, an awful refutation of the clamors of the opposition. After demonstrating the futility of the objections against Mr. Bishop, by an array of public and private evidences in his favor, this celebrated paper concludes as follows :

“The removal, as it is called, of Mr. Goodrich, forms another subject of complaint. Declarations by myself in favor of *political tolerance*, exhortations to *harmony* and affection in social intercourse, and to respect for the *equal rights* of the minority, have, on certain occasions, been quoted and misconstrued into assurances that the tenure of offices was to be undisturbed. But could candor apply such a construction ? It is not indeed in the remonstrance that we find it ; but it leads to the explanations which that calls for. When it is considered, that during the late administration, those who were not of a particular sect of politics were excluded from all office ; when, by a steady pursuit of this measure, nearly the whole offices of the United States were monopolized by that sect ; when the public sentiment at length declared itself, and burst open the doors of honor and confidence to those whose opinions they more approved ; was it to be imagined that this monopoly of office was still to be continued in the hands of the minority ? Does it violate their *equal rights*, to assert some rights in the majority also ? Is it *political intolerance* to claim a proportionate share in the direction of the public affairs ? Can they not *harmonize* in society unless they have every thing in their own hands ? If the will of the nation, manifested by their various elections, calls for an adminis-

tration of government according with the opinions of those elected ; if, for the fulfilment of that will, displacements are necessary, with whom can they so justly begin as with persons appointed in the last moments of an administration, not for its own aid, but to begin a career at the same time with their successors, by whom they had never been approved, and who could scarcely expect from them a cordial co-operation ? Mr. Goodrich was one of these. Was it proper for him to place himself in office, without knowing whether those whose agent he was to be, would have confidence in his agency ? Can the preference of another as the successor to Mr. Austin, be candidly called a removal of Mr. Goodrich ? If a due participation of office is a matter of right, how are vacancies to be obtained ? Those by death are few ; by resignation none. Can any other mode than that of removal be proposed ? This is a painful office. But it is made my duty, and I meet it as such. I proceed in the operation with deliberation and inquiry, that it may injure the best men least, and effect the purposes of justice and public utility with the least private distress : that it may be thrown, as much as possible, on delinquency, on oppression, on intolerance, on anti-revolutionary adherence to our enemies.

"The remonstrance laments 'that a change in the administration must produce a change in the subordinate officers ;' in other words, that it should be deemed necessary for all officers to think with their principal ? But on whom does this imputation bear ? On those who have excluded from office every shade of opinion which was not theirs ? Or on those who have been so excluded ? I lament sincerely that unessential differences of opinion should ever have been deemed sufficient to interdict half the society from the rights and the blessings of self-government, to proscribe them as unworthy of every trust. It would have been to me a circumstance of great relief, had I found a moderate participation of office in the hands of the majority. I would gladly have left to time and accident to raise them to their just share. But their total exclusion calls for prompter corrections. I shall correct the procedure : but that done, return with joy to that state of things, when the only questions concerning a candidate shall be, Is he honest ? Is he capable ? Is he faithful to the constitution ?"

The regeneration of the public offices was the first measure of importance which gave a character of originality to the administration. Various other abuses existed, dependent on executive indulgence, which soon called into action the reformatory hand of the President. The demolition of these, in bold and rapid succession, gave a cheering and prophetic dawn to the republican revolution of government. In a letter of the President to Nathaniel Macon, member of Congress from North Carolina, in May, 1801, it is curious

to notice the following laconic statement of the progress and fixed protestations of reform :

“Levees are done away.

“The first communication to the next Congress will be, like all subsequent ones, by message, to which no answer will be expected.

“The diplomatic establishment in Europe will be reduced to three ministers.

“The compensations to collectors depend on you, and not on me.

“The army is undergoing a chaste reformation.

“The navy will be reduced to the legal establishment by the last of this month.

“Agencies in every department will be revised.

“We shall push you to the uttermost in economizing.

“A very early recommendation had been given to the Post Master General to employ no printer, foreigner, or revolutionary tory in any of his offices. This department is still untouched.

“The arrival of Mr. Gallatin, yesterday, completed the organization of our administration.”

During the short interval of time between the inauguration and the meeting of the first Congress, the attention of the President was industriously occupied in maturing and multiplying his plans for republicanizing the government ; and in carrying them into execution, in all cases where he possessed the power independently of the Legislature. The courtly custom of levees, with the train of attendant forms and ceremonies, had its origin with the government. General Washington resisted the importunities to introduce them, for three weeks after his induction into office. At last he yielded, and Colonel Humphreys, a gentleman of great parade, was charged with the arrangement of ceremonies on the first occasion. Accordingly an ante-chamber and presence-room were provided ; and when the company who were to pay their court, had assembled, the President advanced, preceded by Humphreys. After passing through the ante-chamber, the door of the inner room was thrown open, and Humphreys entered first, calling out with a loud voice, ‘The President of the United States.’ The President was so much disconcerted, that he never recovered from it during the whole time of the levee. After the company had retired, he said to Humphreys, ‘Well, you have taken me in once, but by — you shall never take me in a second time.’ He never allowed the same form to be repeated, but had the company introduced as they entered the room,

where he stood to receive them. The levees were preserved in all their vigor under Mr. Adams. Repeated at short intervals, and accompanied, as they were, by a general course of sumptuous entertainment, they were unnecessarily expensive, demoralizing, and obstructive of business. Mr. Jefferson discontinued them. He had but two *public* days for the reception of company—the fourth of July and first of January. On these occasions, the doors of his house were thrown open, and the most liberal hospitality provided for the entertainment of visitors, of every grade and name in society, without exception or distinction.

The abolishing the pompous mimicry of royal trappings, which were familiarizing the spectator to the harbingers of another form of government, exerted a salutary influence upon the habits and manners of the Metropolis. The glitter and parade of aristocracy, the ribbons and garters of birth and place, extravagance of dress, idleness and corruption of manners, dissipation of time, health and money, with all the paraphernalia of European courts and capitals, were swept away, and superseded by the dignified courtesies, the substantial virtues, and elevated simplicities of republicanism. From the federal centre, the rays of this moral renovation diverged in every direction, and extended their benign and purifying influence over the whole area of the republic. Many now living may recollect with what rapidity the whole face of society was changed, and the vast tide of anti-republican tendencies, which for years had been setting in upon the country, rolled backward into the flood of ages that had passed away.

So much for the demolition of forms. *Pari passu* with these, a system of substantial reformatations was commenced and vigorously prosecuted by the President. The introduction of economy in the public expenditures was the cardinal principle of this system. To diminish the number and weight of public burthens, and establish a frugal system of government, which 'should not take from the mouth of labor the bread it had earned,' was the pride of the President's heart, and the pole star of his operations. To this end, the Army and Navy, which had been raised by his predecessor into heavy monarchical engines, under pretence of war, were lowered into easy, republican peace establishments; or rather to the ultimate point of reduction, confided to executive discretion. Farther than this, he could not go without the concurrence of the Legisla-

ture. The amount of force, including regulars and militia, which the several acts of the preceding administration had authorized the President to raise, was considerably over 100,000 men. This formidable army, Mr. Jefferson reduced to four regiments of infantry, two regiments of artillerists and engineers, and two troops of light dragoons. The next year, by the consent of the Legislature, he reduced it to two regiments of infantry, one regiment of artillerists, and a corps of engineers, or about 3000 men.

From the military and marine, he advanced to the civil establishment, and insinuated the purifying operation into every ramification of that. He visited in person each of the Departments, and obtained a catalogue of the officers employed in each, with a statement of their wages, and amount of duties. Those under his own immediate charge, were subjected to the same scrutiny. Thence he extended his enquires over the whole territory of the republic, and comprehended in the revision all those, who, under any species of public employment, drew money from the treasury. This done, he immediately commenced the reduction of all such offices as were deemed unnecessary, whose tenure depended on executive discretion. The inspectors of the internal revenue were discontinued in a mass. They comprised a large body of treasury men, dispersed over the country, useless, and even obstructive to the accountability of the internal finance. Various other agencies, created by executive authority, on salaries fixed by the same authority, were deemed superfluous. These were all suppressed. The diplomatic establishment was reduced to three ministers, all that the public interests required—namely, to England, France, and Spain. He called in foreign ministers who had been absent eleven, and even seventeen years; and established the rule which he had formerly recommended to General Washington, by whom it was approved—that no person should be continued on foreign mission beyond a term of six, seven, or eight years. A long absence from their country denationalized their principles and habits. They returned like foreigners, and, like them, required a considerable residence here to become Americanized. But the great mass of the public offices, being established by law, required the concurrence of the Legislature to discontinue them. These, therefore, he reserved, to be communicated to Congress, for revision and reduction, in his first annual message.

From the internal administration, the President directed his attention to the department of foreign affairs; and manifested an eager desire to extend the blessings of reform to all mankind. With this view, he formed the design of introducing some wholesome improvements in the established code of international intercourse, by engaging in concurrence and peaceable co-operation, a coalition of the most liberal powers of Europe. These improvements respected the rights of neutral nations, and were original conceptions with himself and Dr. Franklin, as illustrated in a preceding chapter. He desired to see abolished universally the established law of nations, which authorized the taking the goods of an enemy from the ship of a friend; and to have substituted in its place, by special compacts, the more rational and convenient rule, that free ships should make free goods. The vexatious effects of the former principle upon neutral nations peaceably pursuing their commerce, and its tendency to embroil them with the powers involved in war, were sufficient reasons for its universal abandonment; while the operation of the latter principle, leaving the nations at peace to enjoy unmolested and aloof from the belligerents, the common rights of the ocean, was more favorable to the interests of commerce, and lessened the occasions and vexations of war. Besides, the principle of 'free bottoms free goods,' he contended, was the genuine dictate of national morality, and the converse, which had unfortunately obtained, a corruption, originally introduced by accident between the States* which first figured on the water, and afterwards adopted, from the mere force of example, by the other nations, as they successively appeared upon the theatre of the ocean.

The President desired to see this improvement so far carried out as to abelish the pernicious distinction of contraband of war, in the articles of neutral commerce. He regarded the practice of entering the ship of a friend to search and seize what was called contraband of war, as a violation of natural right, and extremely liable to abuse.

"War between two nations" says he, "cannot diminish the rights of the rest of the world remaining at peace. The doctrine that the rights of nations remaining quietly in the exercise of moral and social duties, are to give way to the convenience of those who prefer plundering and murdering one another, is a monstrous doc-

* Venice and Genoa.

trine ; and ought to yield to the more rational law, that ‘ the wrong which two nations endeavor to inflict on each other, must not infringe on the rights or conveniences of those remaining at peace.’ And what is *contraband*, by the law of nature ? Either every thing which may aid or comfort an enemy, or nothing. Either all commerce which would accommodate him is unlawful, or none is. The difference between articles of one or another description, is a difference in degree only. No line between them can be drawn. Either all intercourse must cease between neutrals and belligerents, or all be permitted. Can the world hesitate to say which shall be the rule ? Shall two nations turning tigers, break up in one instant the peaceable relations of the whole world ? Reason and nature clearly pronounce that the neutral is to go on in the enjoyment of all its rights, that its commerce remains free, not subject to the jurisdiction of another, nor consequently its vessels to search, or to enquiries whether their contents are the property of an enemy, or are of those which have been called contraband of war.”

These opinions and arguments he communicated, in the form of instructions, to Robert R. Livingston, nominated minister plenipotentiary to France the day after his assumption of office. They were communicated unofficially, however, and with the express reservation, that they were not to be acted upon until the desolating war in Europe, which threatened to embroil us with the principal belligerents, should be brought to a termination. The same principles had been repeatedly sanctioned by the government, and he entertained little doubt of the concurrence of his constitutional advisers. They formed a part of those much admired instructions of Congress, drafted by himself in 1784, to the first American ministers appointed to treat with the nations of Europe ; and were acceded to by Prussia and Portugal. In the renewal of the treaty with Prussia, they had been avoided, at the instance of our then administration, lest it should seem to commit us against England, on a question then threatening decision by the sword ; and in the late treaty with the latter power, they had been abandoned by our envoy, which constituted a principal ground of opposition to that memorable negotiation. Being now at the head of the government, Mr. Jefferson was anxious to avail himself of all the weight and efficacy of his station, to convince the nations of Europe that they had originally set out in error ; that their error had proved oppressive to the rights and interests of the peaceable part of mankind ; and that the reformation of false principles could never begin better than with those who had been instrumental in establishing them.

Scarcely had the President entered upon the duties of his office, when our commerce in the Mediterranean was placed under the ban of the Pirates. Tripoli, the least considerable of the Barbary Powers, came forward with demands unfounded either in right or compact, and avowed the determination to extort them, at the point of the sword, on our failure to comply peaceably before a given day. The President felt keenly the insult inflicted on the honor of the nation by this extraordinary menace; and, with becoming energy, immediately put in operation such measures of resistance as the urgency of the case demanded, without waiting the advice of Congress. The style of the challenge admitted but one answer. He sent a squadron of frigates into the Mediterranean, with assurances to the Bey of Tripoli, of our sincere desire to remain in peace; but with orders to protect our commerce, at all hazards, against the threatened attack. The measure was as seasonable as it was salutary. The Bey had already declared war in form. His cruisers were out; two had arrived at Gibraltar. Our commerce in the Mediterranean was blockaded; and that of the Atlantic in peril. The arrival of the American squadron dispelled the danger. One of the Tripolitan cruisers having fallen in with and engaged a small schooner of ours, which had gone out as a tender to the larger vessels, was captured, with a heavy slaughter of her men, and without the loss of a single one on our part. This severe chastisement, with the extraordinary skill and bravery exhibited by the Americans, quieted the pretensions of the Bey, and operated as a salutary caution in future to that desperate community of freebooters.

On the 8th of December, 1801, Mr. Jefferson made his first annual communication to Congress, *by message*. It had been the uniform practice with his predecessors to make their first communications, on the opening of Congress, by personal address, to which a formal answer was immediately returned by each House separately. The President always used to go, *in state*, as it was called, to deliver his speech. He moved to the capitol, preceeded by the Marshal and Constables of the District, with their white staffs, and accompanied by the heads of departments, the members of Congress, and a numerous procession of citizens. On these occasions he always wore his sword. A desire to impart a more popular character to the government, by divesting it of a ceremonial which partook in some degree of a royal pageant, a regard to the convenience of the Legislature, the economy of their time, and relief from

embarrassments of immediate answers, induced Mr. Jefferson to adopt the mode of communication by message, to which no answer was returned. And his example has been followed by all succeeding Presidents.

The President announced in his message, with great gratification, that the cessation of hostilities in Europe, had produced a consequent cessation of those irregularities which had afflicted the commerce of neutral nations; and restored the ordinary communications of peace and friendship between the principal powers of the earth. That our intercourse with the Indians on our frontiers, was marked by a spirit of mutual conciliation and forbearance, highly advantageous to both parties. That our relations with the Barbary States were in a less satisfactory condition, and such as to inspire the belief that measures of offence ought to be authorized, sufficient to place our force on an equal footing with that of its adversaries. That the increase of population within the last ten years, as indicated by the late census, proceeded in such an unexampled ratio as promised a duplication every twenty-two years. That this circumstance, combined with others, had produced an augmentation of revenue arising from consumption, which proceeded in a ratio far beyond that of population, and authorized a reduction of such of its branches as were particularly odious and oppressive.

Accordingly he recommended the abolition of *all the internal taxes*, comprehending excises, stamps, auctions, licences, carriages, and refined sugars; to which he added the postage of newspapers to facilitate the progress of information. The remaining sources of revenue, aided by the extensive system of economies which he proposed to introduce, would be sufficient, he contended, to provide for the support of government, to pay the interest of the public debt, and to discharge the principal in a shorter period than the laws, or the general expectation had contemplated.

As supplemental, however, to the proposition for discontinuing the internal taxes, he recommended a sensible and salutary diminution of the public disbursements, by the abolition of all superfluous drafts upon the treasury. He informed the Legislature of the progress he had already made in this department of public duty, by the suppression of all unnecessary offices, agencies and missions, which depended on executive authority; and recommended to their consideration a careful revision of the remainder. "Considering," says

he, "the general tendency to multiply offices and dependencies, and to increase expense to the ultimate term of burthen which the citizen can bear, it behooves us to avail ourselves of every occasion which presents itself, for taking off the surcharge; that it never may be seen how that, after leaving to labor the smallest portion of its earnings on which it can subsist, government shall itself consume the residue of what it was instituted to guard."

In order to multiply barriers against the dissipation of the public money, he recommended Congress to establish the practice of *specific appropriations*, in all specific cases susceptible of definition; to reduce the undefined field of contingences; and to bring back to a single department for examination and approval, all accountabilities for receipts and expenditures.

He directed the attention of Congress to a revision of the army, and advised the reduction of the existing establishment to the number of garrisons actually necessary, and the number of men requisite for each garrison. A standing army in time of peace was both unnecessary and dangerous. The militia was the main pillar of defence to the country, and the only force which could be ready at every point to repel unexpected invasion, until regulars could be provided to relieve them. This consideration rendered important a careful review, at every session, of the existing organization of the militia, and the amendment of such defects as from time to time might show themselves in the system, until it should be made sufficiently perfect. "Nor should we now," said he, "or at any time separate, until we can say we have done every thing for the militia which we could do were an enemy at our door."

With respect to the navy, although a difference of opinion might exist as to the extent to which it should be carried, yet all would agree that a small force was continually wanted for actual service in the Mediterranean. All naval preparations beyond this, the President thought, should be confined to the provision of such articles as might be kept without waste or consumption, and be in readiness for any exigence which might occur.

Extensive fortifications, projected or commenced on a scale disproportioned to the advantages to be derived from them, which were expensive in their erection, expensive in their maintenance, and required a large force to garrison them, he questioned the utility of prosecuting or continuing.

The President was of opinion, that agriculture, manufactures, commerce and navigation, the four pillars of our prosperity, were most disposed to thrive when left most free to individual enterprise. Protection from casual embarrassments, however, might sometimes be seasonably interposed; and was clearly within the constitutional limits of Congress.

He submitted to the serious consideration of the Legislature, the Judiciary system of the United States, and suggested the expediency of rescinding that branch of it recently erected, should it appear on examination to be superfluous, of which he entertained no doubt. While on the subject of the Judiciary, he commended to their fostering protection the 'inestimable institution of juries,' urging the propriety of their extension to all cases involving the security of our persons or property, and the necessity of their impartial selection.

The President warmly recommended a revision of the laws on the subject of naturalization, and an abbreviation of the period prescribed for acquiring citizenship. The existing regulation, requiring a residence of fourteen years, was a denial of citizenship to a great proportion of those who asked it, obstructive of the prosperous growth of the country, and incompatible with the humane spirit of our laws.

After commending to them prudence and temperance in discussion, which were so conducive to harmony and rational conclusion within their own walls, and to that consolidation of sentiment among their constituents, which was progressing with such auspicious rapidity, the President concluded as follows: "That all should be satisfied with any one order of things, is not to be expected; but I indulge the pleasing persuasion that the great body of our citizens will cordially concur in honest and disinterested efforts, which have for their object to preserve the General and State governments in their constitutional form and equilibrium; to maintain peace abroad, and order and obedience to the laws at home; to establish principles and practices of administration favorable to the security of liberty and property, and to reduce expenses to what is necessary for the useful purposes of government."

The first message of the first democratic President of the United States, was anticipated, as was natural to be expected, with a fever of popular impatience. On its appearance, sensations diametrical-

ly opposite were excited in the two great divisions of the political public. The republicans contemplated it with a profound feeling of unalloyed satisfaction ; the federalists, with mingled disapprobation and dismay. The fundamental features of his policy, as publicly delineated by the President, were too unequivocal and strongly marked not to realize the warmest desires of his supporters, and the worst apprehensions of his adversaries. His propositions for reforming the prodigalities of the previous administrations, by the abolition of sinecures, and the establishment of a rigid accountability with the remaining offices of the government ; for cutting down the army, and relying for ordinary protection on the unpensioned resource of an omnipresent militia ; for levelling the navy to the actual force required for covering our commerce from the ravages of the common enemies of Christendom ; for the gradual and systematic extinguishment of the public debt, in derision of the monarchical maxim, that ‘ a national debt is a national blessing’ : for circumscribing discretionary powers over money, by establishing the rule of specific appropriations ; for restoring the hospitable policy of the government towards aliens, and fugitives from foreign oppression : for multiplying barriers around the sovereignty of the States and the liberties of the people, against the encroachments of the federal authorities, by crippling the despotism of the Judiciary, and lopping from it a supernumerary member engrafted by his predecessors for political purposes : all these propositions were seized, with the spirit of demons, by his vanquished opponents, and made, one by one, a topic of unbridled denunciation and railery. On the other hand, innumerable addresses of thanks by republican assemblies, and by individual champions of the republican party, were communicated to him from every section of the Union. To these he returned public or private answers, according to the nature of the address. The following extract of a letter to the venerable John Dickinson, will suffice as a specimen of his private answers.

“ The approbation of my ancient friends is above all things the most grateful to my heart. They know for what objects we relinquished the delights of domestic society, tranquillity, and science, and committed ourselves to the ocean of revolution, to wear out the only life God has given us here, in scenes, the benefits of which will accrue only to those who follow us. Surely we had in view to obtain the theory and practice of good government : and how any, who seemed so ardent in this pursuit, could as shamelessly have

apostatized, and supposed we meant only to put our government into other hands, but not other forms, is indeed, wonderful. The lesson we have had will probably be useful to the people at large, by showing to them how capable they are of being made the instruments of their own bondage. A little more prudence and moderation in those who had mounted themselves on their fears, and it would have been long and difficult to unhorse them. Their madness had done in three years, what reason alone acting against them would not have effected in many; and the more, as they might have gone on forming new entrenchments for themselves from year to year. My great anxiety at present is, to avail ourselves of our ascendancy to establish good principles, and good practices; to fortify republicanism behind as many barriers as possible, that the outworks may give time to rally and save the citadel, should that be again in danger. On their part, they have retired into the judiciary as a strong hold. There the remains of federalism are to be preserved and fed from the treasury, and from that battery, all the works of republicanism are to be beaten down and erased. By a fraudulent use of the constitution, which has made judges irremovable, they have multiplied useless judges merely to strengthen their phalanx."

But of all the measures of reform recommended in the President's message, none was so auspicious, none so extensive, as the proposition to suppress all the internal taxes. This was indeed a solid inculcation of the beneficent purposes of administration. The internal institution was a distinguishing feature of the Hamiltonian system of finance, and had constituted throughout a powerful entrenchment to the ancient order of things. It is a surprising fact, that the officers employed in its management, embraced three fourths of all the officers in the pay of the government. They were spread over the country, stationed in every town and hamlet, like so many sentinels on the outposts of the citadel, and comprised, in the aggregate, an army of stipendiaries at the beck of the treasury chief. In proposing to disband all these at a stroke, the President meditated the disarming the government of an immense resource of executive patronage and preponderance, besides relieving the people of an arbitrary and oppressive surcharge of taxation. The disinterestedness and beneficence of the transaction were only equalled by its boldness, at which the republicans themselves were considerably alarmed. In a letter to one of them, dated December 19, 1801, the President wrote :

"You will perhaps have been alarmed, as some have been, at the

proposition to abolish the whole of the internal taxes. But it is perfectly safe. They are under a million of dollars and we can economize the government two or three millions a year. The impost alone gives us ten or eleven millions annually, increasing at a compound ratio of six and two thirds per cent. per annum, and consequently doubling in ten years. But leaving that increase for contingencies, the present amount will support the government, pay the interest of the public debt, and discharge the principal in fifteen years. If the increase proceeds, and no contingencies demand it, it will pay off the principal in a shorter time. Exactly one half of the public debt, to wit, thirty-seven millions of dollars, is owned in the United States. That capital then will be set afloat, to be employed in rescuing our commerce from the hands of foreigners, or in agriculture, canals, bridges, or other useful enterprises. By suppressing at once the whole external taxes, we abolish three fourths of the offices now existing, and spread over the land. Seeing the interest you take in the public affairs, I have indulged myself in observations flowing from a sincere and ardent desire of seeing our affairs put into an honest and advantageous train."

Fortunately, the first Congress which assembled after Mr. Jefferson came into power, contained an ascendancy of republicanism in both Houses; with just enough of opposition to hoop the majority indissolubly together, and enable the Legislature to move in strong and harmonious co-operation with the Executive. They erected into laws all the fundamental reformatations recommended by the President, and thereby enabled him to carry through a system of administration which abolished the former regimen generally, and substantially revolutionized the government. To notice the single feature of frugality, by the extensive economies which he introduced, he diminished the expenses of the government 3,000,000 of dollars! and, after answering the regular exigences of the government, he discharged eight millions of the national debt, principal and interest, the first year of his administration, and left four and a half millions of dollars in the treasury, for application to the further discharge of debt and current demands! The result is unparalleled in the annals of civil government. "When effects, so salutary," says the President in his second annual message, "result from the plans you have already sanctioned, when merely by avoiding false objects of expense, we are able, without a direct tax, without internal taxes, and without borrowing, to make large and effectual payments towards the discharge of our public debt, and the emancipation of our posterity from that mortal canker, it is an en-

couragement, fellow citizens, of the highest order, to proceed as we have begun in substituting economy for taxation, in pursuing what is useful for a nation placed as we are, rather than what is practised by others under different circumstances. And whensoever we are destined to meet events which shall call forth all the energies of our countrymen, we have the firmest reliance on those energies, and the comfort of leaving for calls like these, the extraordinary resources of loans and internal taxes. In the mean time, by payments of the principal of our debt, we are liberating, annually, portions of the external taxes, and forming from them a growing fund, still further to lessen the necessity of recurring to extraordinary resources."

The following paragraph, extracted from a letter of the President to General Kosciusko, dated April 2, 1802, presents a very modest and comprehensive outline of the proceedings of the Legislature in pursuance of the executive recommendations.

"The session of the first Congress convened since republicanism has recovered its ascendancy, is now drawing to a close. They will pretty completely fulfil all the desires of the people. They have reduced the army and navy to what is barely necessary. They are disarming executive patronage and preponderance, by putting down one half the offices of the United States, which are no longer necessary. These economies have enabled them to suppress all the internal taxes, and still to make such provision for the payment of their public debt as to discharge that in eighteen years. They have lopped off a parasite limb, planted by their predecessors on their judiciary body for party purposes; they are opening the doors of hospitality to the fugitives from the oppressions of other countries; and we have suppressed all those public forms and ceremonies which tended to familiarize the public eye to the harbingers of another form of government. The people are nearly all united; their quondam leaders, infuriated with the sense of their impotence, will soon be seen or heard only in the newspapers, which serve as chimneys to carry off noxious vapors and smoke, and all is now tranquil, firm, and well, as it should be."

The Sedition Law, not included in the above glance, which protected from popular scrutiny and discussion the extravagancies, delinquencies, and heresies of the government authorities, was permitted to expire by its own limitation. It experienced a natural death, in the course of this session, without even the hope of a day of resurrection. To these specific improvements might be added the general simplification of the system of finance, in which he was

powerfully aided by the logical mind of a Gallatin ; and the establishment of the permanent rule of definite appropriations of money for all objects susceptible of definition, so that every person in the United States might know for what purpose, and to what amount, every fraction of public expenditure was applied. His personal watchfulness over this department of administration, the operations of which are so intimately interwoven with all human concerns, is forcibly illustrated by the following letter to the Secretary of the Treasury.

"I have read and considered your report on the operations of the sinking fund, and entirely approve of it, as the best plan on which we can set out. I think it an object of great importance, to be kept in view and to be undertaken at a fit season, to simplify our system of finance, and bring it within the comprehension of every member of Congress. Hamilton set out on a different plan. In order that he might have the entire government of his machine, he determined so to complicate it as that neither the President nor Congress should be able to understand it, or to control him. He succeeded in doing this, not only beyond their reach, but so that he at length could not unravel it himself. He gave to the debt, in the first instance, in funding it, the most artificial and mysterious form he could devise. He then moulded up his appropriations of a number of scraps and remnants, many of which were nothing at all, and applied them to different objects in reversion and remainder, until the whole system was involved in impenetrable fog ; and while he was giving himself the airs of providing for the payment of the debt, he left himself free to add to it continually, as he did in fact, instead of paying it. I like your idea of kneading all his little scraps and fragments into one batch, and adding to it a complementary sum, which, while it forms it into a single mass from which every thing is to be paid, will enable us, should a breach of appropriation ever be charged on us, to prove that the sum appropriated, and more, has been applied to its specific object.

"But there is a point beyond this, on which I should wish to keep my eye, and to which I should aim to approach by every tack which previous arrangements force on us. That is, to form into one consolidated mass all the monies received into the treasury, and to marshal the several expenditures, giving them a preference of payment according to the order in which they shall be arranged. As for example. 1. The interest of the public debt. 2. Such portions of principal as are exigible. 3. The expenses of government. 4. Such other portions of principal as, though not exigible, we are still free to pay when we please. The last object might be made to take up the residuum of money remaining in the treasury at the end of

every year, after the three first objects were complied with, and would be the barometer whereby to test the economy of the administration. It would furnish a simple measure by which every one could mete their merit, and by which every one could decide when taxes were deficient or superabundant. If to this can be added a simplification of the form of accounts in the treasury department, and in the organization of its officers, so as to bring every thing to a single centre, we might hope to see the finances of the Union as clear and intelligible as a merchant's books, so that every member of Congress, and every man of any mind in the Union, should be able to comprehend them, to investigate abuses, and consequently to control them. Our predecessors have endeavored by intricacies of system, and shuffling the investigator over from one officer to another, to cover every thing from detection. I hope we shall go in the contrary direction, and that, by our honest and judicious reformatory measures, we may be able, within the limits of our time, to bring things back to that simple and intelligible system, on which they should have been organized at first.

"I have suggested only a single alteration in the report, which is merely verbal and of no consequence. We shall now get rid of the commissioner of the internal revenue, and superintendant of stamps. It remains to amalgamate the comptroller and auditor into one, and reduce the register to a clerk of accounts; and then the organization will consist, as it should at first, of a keeper of money, a keeper of accounts, and the head of the department. This constellation of great men in the treasury department was of a piece with the rest of Hamilton's plans. He took his own stand as a Lieutenant General, surrounded by his Major Generals, and stationed his Brigadiers and Colonels under the name of Supervisors, Inspectors, &c. in the different States. Let us deserve well of our country by making her interests the end of all our plans, and not our own pomp, patronage, and irresponsibility. I have hazarded these hasty and crude ideas, which occurred on contemplating your report. They may be the subject of future conversation and correction."

Being now identified, as it were, with the Republic, to write the history of Mr. Jefferson would be to write the history of the United States, during one of the most plethoric portions of their political existence. But this would be an undertaking as disproportioned to the means of the writer, as to the limits by which he is circumscribed. Nothing more can be expected in the present plan, than an outline of the general policy, foreign and domestic, pursued by the President, and of the prominent measures which distinguished his administration.

Among these, the purchase of Louisiana from France, as it was of the first in point of time, was incomparably the first in magnitude and importance. It had long been a favorite object with Mr. Jefferson, as essential to removing from the United States a point of eternal friction, and cause of war with the European possessor, besides securing to us the exclusive navigation of the western waters, and an immeasurable region of fertile country. The territory of Louisiana was originally colonized by France. In 1762, the greater part of it, including the island of New-Orleans, was ceded to Spain; and by the general treaty of peace which followed the Canadian war in '63, the whole territory of France and Spain, eastward of the Mississippi to the Ibberville, thence through the middle of that river to the sea, was ceded to Great Britain. Under the former possession by France, the territory embraced what is denominated West Florida. Spain, during the war of the Revolution, conquered this, with East Florida, from Great Britain, and acquired the right to them both by the treaty of '83. While in the hands of Spain, the United States acquired the right to a free navigation of the Mississippi, and to an entrepot at New-Orleans. About this time, to wit, in 1800, Spain retroceded to France the whole of Louisiana according to its ancient and proper limits. This transfer was attended with a suspension of our right of deposit at New-Orleans, and opened to us, in the opinion of the President, the dreadful prospect of a complete reversal of all our friendly relations with France. In view of the threatening crisis, he immediately joined Mr. Monroe as Envoy Extraordinary, to R. R. Livingston, Minister resident at the French Court, with instructions joint and several to negotiate the purchase of Louisiana from France. In the letter to Mr. Monroe conveying the notice of his appointment, the President says: "All eyes, all hopes are now fixed on you; and were you to decline, the chagrin would be universal, and would shake under your feet the high ground on which you stand with the public. Indeed, I know nothing which would produce such a shock. For on the event of this mission depend the future destinies of this republic. If we cannot, by a purchase of the country, insure to ourselves a course of perpetual peace and friendship with all nations, then, as war cannot be distant, it behooves us immediately to be preparing for that course, without, however, hastening it; and it may be necessary, on your failure on the continent, to cross the channel. We shall

get entangled in European politics, and figuring more, be much less happy and prosperous. This can only be prevented by a successful issue to your present mission. I am sensible after the measures you have taken for getting into a different line of business, that it will be a great sacrifice on your part, and presents from the season and other circumstances, serious difficulties. But some men are born for the public. Nature, by fitting them for the service of the human race on a broad scale, has stamped them with the evidences of her destination and their duty."

The personal agency of Mr. Jefferson in this brilliant achievement was of the most laborious and efficacious character. Besides his official instructions communicated through the Secretary of State, his private letters to our Ministers, and to influential characters in France, on whose fidelity and friendship he relied, are splendid testimonials of his ardor and indefatigableness in the prosecution of the enterprise. Among these, the following, addressed to Mr. Livingston, is pre-eminent in merit.

"The cession of Louisiana and the Floridas by Spain to France, works most sorely on the United States. On this subject the Secretary of State has written to you fully, yet I cannot forbear recurring to it personally, so deep is the impression it makes on my mind. It completely reverses all the political relations of the United States, and will form a new epoch in our political course. Of all nations of any consideration, France is the one, which, hitherto, has offered the fewest points on which we could have any conflict of right, and the most points of a communion of interests. From these causes we have ever looked to her as our *natural friend*, as one with which we never could have an occasion of difference. Her growth, therefore, we viewed as our own, her misfortunes ours. There is on the globe one single spot, the possessor of which is our natural and habitual enemy. It is New Orleans, through which the produce of three eighths of our territory must pass to market, and from its fertility it will ere long yield more than half of our whole produce, and contain more than half of our inhabitants. France, placing herself in that door, assumes to us the attitude of defiance. Spain might have retained it quietly for years. Her pacific dispositions, her feeble state, would induce her to increase our facilities there, so that her possession of the place would be hardly felt by us, and it would not, perhaps, be very long before some circumstances might arise, which might make the cession of it to us the price of something of more worth to her. Not so can it ever be in the hands of France: the impetuosity of her temper, the energy and restlessness of her character, placed in a point of eternal friction with us, and our char-

acter, which, though quiet and loving peace and the pursuit of wealth, is high-minded, despising wealth in competition with insult or injury, enterprising and energetic as any nation on earth; these circumstances render it impossible that France and the United States can continue long friends, when they meet in so irritable a position. They, as well as we, must be blind, if they do not see this; and we must be very improvident if we do not begin to make arrangements on that hypothesis. The day that France takes possession of New Orleans, fixes the sentence which is to restrain her for ever within her low-water mark. It seals the union of two nations, who, in conjunction, can maintain exclusive possession of the ocean. From that moment we must marry ourselves to the British fleet and nation. We must turn all our attentions to a maritime force, for which our resources place us on very high ground: and having formed and connected together a power which may render reinforcement of her settlements here impossible to France, make the first cannon which shall be fired in Europe the signal for tearing up any settlement she may have made, and for holding the two continents of America in sequestration for the common purposes of the United British and American nations. This is not a state of things we seek or desire. It is one which this measure, if adopted by France, forces on us as necessarily, as any other cause, by the laws of nature, brings on its necessary effect. It is not from a fear of France that we deprecate this measure proposed by her. For however greater her force is than ours, compared in the abstract, it is nothing in comparison of ours, when to be exerted on our soil. But it is from a sincere love of peace, and a firm persuasion, that, bound to France by the interests and the strong sympathies still existing in the minds of our citizens, and holding relative positions which insure their continuance, we are secure of a long course of peace. Whereas, the change of friends, which will be rendered necessary if France changes that position, embarks us necessarily as a belligerent power in the first war of Europe. In that case, France will have held possession of New Orleans during the interval of a peace, long or short, at the end of which it will be wrested from her. Will this short-lived possession have been an equivalent to her for the transfer of such a weight into the scale of her enemy? Will not the amalgamation of a young, thriving nation, continue to that enemy the health and force which are at present so evidently on the decline? And will a few years possession of New Orleans add equally to the strength of France? She may say she needs Louisiana for the supply of her West Indies. She does not need it in time of peace, and in war she could not depend on them, because they would be so easily intercepted. I should suppose that all these considerations might, in some proper form, be brought into view of the government of France. Though stated by us, it ought not to give offence: because we do not bring them forward as a menace, but as

consequences not controllable by us, but inevitable from the course of things. We mention them, not as things which we desire by any means, but as things we deprecate ; and we beseech a friend to look forward and to prevent them for our common interests." * * *

" I have no doubt you have urged these considerations, on every proper occasion, with the government where you are. They are such as must have effect, if you can find means of producing thorough reflection on them by that government. The idea here is, that the troops sent to St. Domingo, were to proceed to Louisiana after finishing their work in that island. If this were the arrangement, it will give you time to return again and again to the charge. For the conquest of St. Domingo will not be a short work. It will take considerable time, and wear down a great number of soldiers. Every eye in the United States is now fixed on the affairs of Louisiana. Perhaps nothing, since the revolutionary war, has produced more uneasy sensations through the body of the nation. Notwithstanding temporary bickerings have taken place with France, she has still a strong hold on the affections of our citizens generally. I have thought it not amiss, by way of supplement to the letters of the Secretary of State, to write you this private one, to impress you with the importance we affix to this transaction. I pray you to cherish Dupont. He has the best dispositions for the continuance of friendship between the two nations, and perhaps you may be able to make a good use of him."

On the 26th of April 1803, the negotiation was concluded, and the entire province of Louisiana ceded to the United States for the sum of fifteen millions of dollars. The American negotiators seized the favorable moment to urge the claims of American merchants on the French Government, for spoliations on their property, which were allowed to the amount of three millions seven hundred and fifty thousand dollars, and the bargain was thus closed. This important acquisition more than doubled the territory of the United States, trebled the quantity of fertile country, secured the uncontrolled navigation of the Mississippi and its tributaries, and opened an independent outlet for the produce of the Western States, free from collision with other Powers, and the perpetual dangers to our peace from that source. The treaty was received with unbounded approbation by the great majority of the nation. The monarchical federalists, particularly in the Eastern States, wrote and declaimed furiously against it. They saw in the great enlargement of our territory the seeds of a future dismemberment of the Union, by a separation into Eastern and Western confederacies, which they were

rather disposed to foment than to discountenance. On the other hand, it was the opinion of the President, that the acquisition would prove an additional bond of union, rather than a cause of dismemberment ; that the larger our association, the less would it be shaken by local factions ; and that no one could presume to limit the extent to which the federative principle might operate effectively. Mr. Madison maintained the same opinion in the *Federalist* ; and experience has hitherto confirmed it. But in any view, were those imaginary and very apochryphal dangers worthy a moment's consideration, when contrasted with the certain and incalculable blessings of the conquest, as well positive and immediate, as by the avoidance, in future, of those interminable calamities which would have ensured a contrary state of things ? Was it not better that the opposite bank of the Mississippi should be settled by our own brethren and children than by strangers of adversary feelings and principles ? With which should we have been most likely to have lived in harmony and friendly intercourse, down to the present day ?

To General GATES.—“ I accept with pleasure, and with pleasure reciprocate your congratulations on the acquisition of Louisiana : for it is a subject of mutual congratulation, as it interests every man of the nation. The territory acquired, as it includes all the waters of the Missouri and Mississippi, has more than doubled the area of the United States, and the new part is not inferior to the old in soil, climate, productions, and important communications. If our legislature dispose of it with the wisdom we have a right to expect, they may make it the means of tempting all our Indians on the east side of the Mississippi to remove to the west, and of condensing instead of scattering our population. I find our opposition is very willing to pluck feathers from Monroe, although not fond of sticking them into Livingston's coat. The truth is, both have a just portion of merit : and were it necessary or proper, it would be shown that each has rendered peculiar services, and of important value. These grumblers, too, are very uneasy lest the administration should share some little credit for the acquisition, the whole of which they ascribe to the accident of war. They would be cruelly mortified could they see our files from May, 1801, the first organization of the administration, but more especially from April, 1802. They would see, that though we could not say when war would arise, yet we said with energy what would take place when it should arise. We did not, by our intrigues, produce the war ; but we availed ourselves of it when it happened. The other party saw the case now existing, on which our representations were predicated, and the wisdom of timely sacrifice. But when these people make the war give us ev-

ery thing, they authorize us to ask what the war gave us in their day ? They had a war ; what did they make it bring us ? Instead of making our neutrality the ground of gain to their country, they were for plunging into the war. And if they were now in place, they would now be at war against the atheists and disorganizers of France. They were for making their country an appendage to England. We are friendly, cordially and conscientiously friendly to England, but we are not hostile to France. We will be rigorously just and sincerely friendly to both. I do not believe we shall have as much to swallow from them as our predecessors had."

To Doctor PRIESTLEY.—" I very early saw that Louisiana was indeed a speck in our horizon, which was to burst in a tornado ; and the public are unapprized how near this catastrophe was. Nothing but a frank and friendly development of causes and effects on our part, and good sense enough in Bonaparte to see that the train was unavoidable, and would change the face of the world, saved us from that storm. I did not expect he would yield till a war took place between France and England, and my hope was to palliate and endure, if Messrs. Ross, Morris, &c. did not force a premature rupture until that event. I believed the event not very distant, but acknowledge it came on sooner than I had expected. Whether, however, the good sense of Bonaparte might not see the course predicted to be necessary and unavoidable, even before a war should be imminent, was a chance which we thought it our duty to try : but the immediate prospect of rupture brought the case to immediate decision. The *denouement* has been happy : and I confess I look to this duplication of area for the extending a government so free and economical as ours, as a great achievement to the mass of happiness which is to ensue. Whether we remain in one confederacy, or form into Atlantic and Mississippi confederacies, I believe not very important to the happiness of either part. Those of the western confederacy will be as much our children and descendants as those of the eastern, and I feel myself as much identified with that country, in future time, as with this : and did I now foresee a separation at some future day, yet I should feel the duty and the desire to promote the western interests as zealously as the eastern, doing all the good for both portions of our future family which should fall within my power."

To M. DUPONT DE NEMOURS.—" The treaty which has so happily sealed the friendship of our two countries, has been received here with general acclamation. Some inflexible federalists have still ventured to brave the public opinion. It will fix their character with the world and with posterity, who, not descending to the other points of difference between us, will judge them by this fact, so palpable as to speak for itself, in all times and places. For myself and my country I thank you for the aids you have given in it ;

and I congratulate you on having lived to give those aids in a transaction replete with blessings to unborn millions of men, and which will mark the face of a portion on the globe so extensive as that which now composes the United States of America. * * * Our policy will be to form New Orleans and the country on both sides of it on the Gulf of Mexico, into a State ; and, as to all above that, to transplant our Indians into it, constituting them a *Marche-chaussée* to prevent emigrants crossing the river, until we shall have filled up all the vacant country on this side. This will secure both Spain and us as to the mines of Mexico, for half a century, and we may safely trust the provisions for that time to the men who shall live in it."

When the treaty arrived, the President convened Congress at the earliest day practicable, for its ratification and execution. The federalists in both Houses declaimed and voted against it, but they were now so reduced in numbers as to be incapable of serious opposition. The question on its ratification in the Senate was decided by twenty-four against seven. The vote in the House of Representatives for making provision for its execution, was carried by eighty-nine against twenty-three. Mr. Pichon, Minister of France, proposed, according to instructions from his government, to have added to the ratification a protestation against any failure in time or other circumstances of execution, on our part. He was told by the President, that in that case a counter protestation would be annexed on our part, which would leave the thing exactly where it was ; that the negotiation had been conducted from the commencement to its present stage, with a frankness and sincerity honorable to both nations, and comfortable to the heart of an honest man to review ; that to annex to this last chapter of the transaction such an evidence of mutual distrust, would be to change its aspect dishonorably to both parties ; that we had not the smallest doubt that France would punctually execute her part ; and that he had more confidence in the word of the First Consul than in all the parchment we could sign. Seeing the ratification passed, and the bills for execution carrying by large majorities in both Houses, Mr. Pichon, like an able and honest Minister, undertook to do what he knew his employers would have done, with a like knowledge of the circumstances, and exchanged the ratifications purely and simply. So this instrument went before the world as an evidence of the candor and mutual confidence of the nations, which was attended with the best effects.

Commissioners were immediately deputed to receive possession. They proceeded to New Orleans, with such regular troops as were garrisoned in the nearest posts, and with some militia of the Mississippi territory. To be prepared for any thing unexpected, which might arise out of the transaction, a respectable body of militia was ordered to be in readiness, in the States of Ohio, Kentucky and Tennessee. No occasion, however, arose for their services. Our commissioners, on their arrival at New Orleans, found the province already delivered by the commissaries of Spain to that of France, who delivered it over to them on the 20th of December, 1803.

The purchase of Louisiana is considered the greatest political event, next to the Revolution, commemorated in American history. The circumstance ought not to be overlooked that this mighty conquest, exceeding in territory the greatest monarchy in Europe, was achieved, without the guilt or calamities of blood, from a military autocrat, whose ceaseless ambition was an universality of empire, and who, in the untamable pursuit of his purpose, went on demolishing nations at a blow, and partitioning the earth at pleasure, until vanquished by the consolidated power of Europe. The mind is lost in the magnificence of the achievement, and the vastness of its consequences ; its glories can only be commemorated in the unceasing homage of the unborn millions who will participate of its blessings. "There is no country" says a writer, "like the valley of the Mississippi on the face of the globe.—Follow the mighty amphitheatre of rocks that nature has heaped around it. Trace the ten thousand rivers that unite their waters in the mighty Mississippi ; count the happy millions that already crowd and animate their banks—loading their channels with a mighty produce. Then see the whole, bound by the hand of nature in chains which God alone can sever, to a perpetual union at one little connecting point ; and by that point fastening itself by every tie of interest, consanguinity, and feeling, to the remotest promontory on our Atlantic coast. A few short years have done all this ; and yet ages are now before us : ages in which myriads are destined to multiply throughout its wide spread territory, extending the greatness and the happiness of our country from sea to sea. What would we have been without the acquisition of Louisiana ? What were we before it ? God and nature fixed the unalterable decree, that the nation which held New Orleans should govern the whole of that vast region. France,

Spain, and Great Britain, had bent their envious eyes upon it. And their intrigues, if matured, would eventually have torn from us that vast Paradise which reposes upon the western waters. * * Other conquests bring with them misery and oppression to the luckless inhabitant. This brought emancipation, civil and religious freedom, laws, wealth, and the glories of the 8th of January."

The humane and conciliatory policy extended towards the Indians on our frontiers, was another distinguishing feature of the Administration. A free and friendly commerce was opened between them and the United States. Trading houses were established among them, and necessities furnished them in exchange for their commodities, at such moderate prices as were only not losing to us, while highly advantageous to them. Instead of relying on an augmentation of military force, proportioned to our constant extension of frontier, the President recommended a gradual enlargement of the capital employed in this species of commerce, as a more effectual, economical, and humane instrument for preserving peace and good neighborhood with the aborigines. The visible and tangible advantages of civilization were spread before their eyes, with a view to train their minds insensibly to the reception of its moral blessings. They were liberally supplied with the implements of husbandry and household use ; instructors in the arts of first necessity were located and maintained among them ; the introduction of ardent spirits into their limits, was prohibited, at the request of many of their chiefs ; and the punishment of death by hanging was commuted into death by military execution, which was less repugnant to their ideas, and diminished the obstacles to the surrender of the criminal.

The practice of the art of vaccination, first successfully introduced into this country by the patronage and philanthropic exertions of President Jefferson, was made by him to diffuse its blessings among the Indians, with an effect as astonishing as it was humane and endearing. The terrible pestilence, of which this beneficent discovery proved a heaven-descended antidote, was even more fatal in its ravages among the natives of the wilderness than in civilized society. The medical skill of their physicians had not attained even to an assuagent of its violence. Whole tribes were swept away at a blast. They opposed no other shield against its attacks than flight, or the fortitude of martyrs. By the kind persuasions and attentive exertions of the President, they were induced to believe in

the efficacy of vaccination as a preventative. Coming from so good and great a father, they thought it must have been sent him from the Great Spirit ; and whole nations submitted to the process of inoculation, with the warmest benedictions on their benevolent protector.

These conciliatory measures of the government, with the most rigorous enactments against the intrusion and machinations of fanatical incendiaries and hostile emissaries, established and maintained a course of friendly relations with the Indians, which was uninterrupted by war with a single tribe, during Mr. Jefferson's administration. Out of this continued state of peace and reciprocal kindness, treaties sprung up annually, which secured to the United States unbounded accessions to their territorial title. The same year that witnessed the acquisition of Louisiana, was distinguished by the purchase from the Kaskaskias, of that vast and fertile country extending along the Mississippi, from the mouth of the Illinois to, and up the Ohio ; which was followed, the next year, by the relinquishment from the Delawares of native title to all the country between the Wabash and Ohio. These extensive acquisitions comprehended the territory which forms the present States of Illinois and Indiana. They were soon followed by other purchases of great extent and fertility, from the Northern tribes, and from the Chickasaws, Cherokees and Creeks, of the Southern. The amount of national domain to which the native title was extinguished, under Mr. Jefferson, embraced nearly one hundred millions of acres ! In exchange for this, with the enjoyment of an uninterrupted peace with them, the United States had only to pay inconsiderable annuities in animals, in money, in the implements of agriculture, and to extend to them their patronage and protection.

The administration of Mr. Jefferson, in relation to foreign Powers, was based upon the broad principles of his inaugural maxim. —“peace, commerce, and honest friendship with all nations, entangling alliances with none.” His opinions on commerce were the same as those inculcated in his masterly report in '93 ; and they were such as have ever since been sanctioned by the government. The ports of the United States were declared open to all nations, without distinction, and the unmolested enjoyment of the ocean, as the common theatre of navigation, was claimed as an inviolable right. Freedom was offered for freedom, and prohibition was opposed to

prohibition, in equal measure, with every nation on the globe. A free system of commerce, which should leave to the fraternity of nations the exchange of mutual surplusses for mutual wants, on the basis of easy and exact reciprocity, was the first wish of his heart; but if any nation, deceived by false calculations of interest into a contrary system, should defeat that wish, his determination was fixed to meet inequalities abroad, by countervailing inequalities at home, as the only effectual weapon of coercion, and of self-protection. With regard to treaties, it was the system of the President to have none with any nation, as far as could be avoided. The existing treaties, therefore, were permitted to expire, without renewal, and all overtures for treaty with other nations were declined. He believed, that with nations as with individuals, dealings might be carried on as advantageously, perhaps more so, while their continuance depended on voluntary and reciprocal good treatment, as if fixed by a permanent contract, which, when it became injurious to either party, was made, by forced constructions, to mean what suited them, and became a cause of war, instead of a bond of peace. He had a perfect horror at every thing like connecting ourselves with the politics of Europe. They were governed by so many false principles of foreign intercourse, that he deemed a temporary acquiescence under these, preferable to entangling ourselves with them by alliances extorted from our present imbecility on the water. Peace was now our most important interest, and a recovery from debt. "If we can delay but for a few years," he wrote to an American Minister, "the necessity of vindicating the laws of nature on the ocean. we shall be the more sure of doing it with effect. *The day is within my time as well as yours, when we may say by what laws other nations shall treat us on the sea. And we will say it.* In the mean time we wish to let every treaty we have drop off without renewal." With regard to the British government, in particular, he had so little confidence that they would voluntarily retire from their habitual wrongs in the impressment of our seamen, that without an express stipulation to that effect, he was satisfied we ought never to tie up our hands, by treaty, from the right of passing non-importation or non-intercourse acts, to make it their interest to become just.

Out of this keen sensibility to maritime injuries, a transaction arose which has been a source of torrents of abuse upon the President. A committee of the Senate called on him with two resolutions of that body on the subject of impressment and spoliation by Great

Britain, and vehemently urged the importance of an extraordinary mission, to demand satisfaction. The President revolted at the idea. After so many injuries and indignities from that nation, such a mark of respect as an extraordinary mission, was a degradation to which he could not submit. He was so averse to the measure, and gave them so hard an answer, that they felt it most sorely. But it did not end here. The members of the other House set upon him individually, and represented the responsibility which a failure to obtain redress would throw on him, pursuing a course in opposition to the opinion of nearly every member of the legislature. He found it necessary, at length, to yield to the general sense of the national council; and accordingly nominated Mr. Monroe as Minister Extraordinary, to join the ordinary one, Mr. Pinckney, at the British Court. Explicit instructions were given them to conclude no treaty without a specific article guarding against impressments. After a tedious negotiation they succeeded in concluding a treaty—the best undoubtedly that could be procured—but containing no provision in conformity to the *sine qua non* expressed in their instructions, relative to aggressions on our seamen. Previously, by a letter from our negotiators, information had been received, that they had it in their power to sign such a treaty; and in return the President had apprised them that should it be forwarded, it could not be ratified, and recommended a resumption of negotiations for inserting the stipulation in question. The treaty came to hand exactly in the exceptionable shape in which the administration had predetermined against its acceptance. The President rejected it, *on his own responsibility*, and transmitted instructions to put the treaty into an acceptable form, if practicable; otherwise, to back out of the negotiation as well as they could, letting it die away insensibly.

Besides the abandonment of the principle which was the great object of the extraordinary mission, there were other material objections to the treaty, which abundantly justified the President in rejecting it without consulting the opinions of the Senate. The British commissioners appeared to have screwed every article as far as it would bear, to have surrendered nothing, and taken every thing. There was but a single article, the expunging of which would have left such a preponderance of evil in all the others, as to have made it infinitely worse than no treaty; and even that article admitted only our right to enjoy the indirect colonial trade, *during the pre-*

sent hostilities. If peace was made that year, and war resumed the next, the benefit of this stipulation was gone, and yet we were bound for ten years, to pass no non-importation or non-intercourse laws, nor take any other measures to restrain the usurpations of the 'Leviathan of the ocean.' And to crown the whole, a protestation was annexed by the British Ministers, at the time of the signature, the effect of which was to leave that government free to consider it a treaty or no treaty, according to their own convenience, while it bound the United States finally and unconditionally.

This proceeding of the President was considered a mighty and a fatal error by the opponents of the administration; and many sensible republicans even, were inclined to the opinion that he should have consulted the co-ordinate branch of the treaty-making power, on the question of rejection. But the Constitution has made the concurrence of both branches necessary to the confirmation, not to the rejection of a treaty; and where that instrument has confided independent matters to either department of government, it is both the right and duty of such department, to decide independently as to the course it ought to pursue. Mr. Jefferson acted upon this construction; and the same principle has been recognized, in repeated instances, under both federal and republican administrations. The leading principle of the constitution evidently is, the independence of the legislature, executive, and judiciary, of each other; and the utmost jealousy of this principle should be exercised by each, to prevent either of the others from becoming a despotic branch. This was the deliberate opinion of Mr. Jefferson, on which he always acted, and declared he would ever act, and maintain it with the powers of the government, against any control which might be attempted by the judiciary or legislature, in subversion of his right to move independently in his peculiar province. Examples in which the position has been maintained, sufficient to establish its soundness, have abounded in the practice of the government. The most pointed and conspicuous instances are stated by Mr. Jefferson in the following extract of a letter to Judge Roane, in 1819.

My construction of the constitution is very different from that you quote. It is that each department is truly independent of the others, and has an equal right to decide for itself what is the meaning of the constitution in the cases submitted to its action; and especially, where it is to act ultimately and without appeal. I will explain myself by examples, which, having occurred while I was in

office, are better known to me, and the principles which governed them.

"A legislature had passed the sedition law. The federal courts had subjected certain individuals to its penalties, of fine and imprisonment. On coming into office, I released these individuals by the power of pardon committed to executive discretion, which could never be more properly exercised than where citizens were suffering without the authority of law, or, which was equivalent, under a law unauthorized by the constitution, and therefore null. In the case of *Marbury and Madison*, the federal judges declared that commissions, signed and sealed by the President, were valid, although not delivered. I deemed delivery essential to complete a deed, which, as long as it remains in the hands of the party, is as yet no deed, it is in *potestate* only, but not in *esse*, and I withheld delivery of the commissions. They cannot issue a *mandamus* to the President or legislature, or to any of their officers.* When the British treaty of 1800-- arrived, without any provision against the impressment of our seamen, I determined not to ratify it. The Senate thought I should ask their advice. I thought that would be a mockery of them, when I was predetermined against following it, should they advise its ratification. The constitution had made their advice necessary to confirm a treaty, but not to reject it. This has been blamed by some : but I have never doubted its soundness. In the cases of two persons, *antennati*, under exactly similar circumstances, the federal court had determined that one of them (Duane) was not a citizen : the House of Representatives nevertheless determined that the other (Smith of South Carolina) was a citizen, and admitted him to his seat in their body. Duane was a republican, and Smith a federalist, and these decisions were during the federal ascendancy."

The opinions of the President on the subject of the Navy, were not, perhaps, such as have been generally approved ; though it is certain they have been greatly misunderstood and misrepresented. Great apprehensions were entertained by the federal party that Mr. Jefferson would annihilate the whole marine establishment ; but they were totally discredited by the event. His very first act, after having executed the law passed under his predecessor, for the sale of certain vessels and reducing the number of our naval officers, was to fit out a squadron for the Mediterranean, to resist a threatened aggression from Tripoli ; and this force, subsequently increased from time to time, by his recommendations, was the means of effecting the triumphant suppression of Algerine piracy. He afterwards recommended the construction of some additional vessels of strength, to be

* The constitution controlling the common law in this particular.

in readiness for the first moment of war, provided they could be preserved from decay, and perpetual expense, by being kept in ordinary. But the majority of the Legislature were opposed to any augmentation of the navy ; and none consequently was made. This circumstance is worthy of notice, as illustrative of the fact that Mr. Jefferson was less hostile to " the wooden walls of Themistocles " than the great body of his supporters. " I know," says a gentleman* who executed the duties of that department for some time. " that no man was a greater friend to the navy than Mr. Jefferson. His acts brought it into notice—its own gallantry and bravery have done the rest—it now occupies a proud station in the eyes of the world. The bravery displayed by the Mediterranean squadron, in the war with Tripoli, raised the American character in Europe, and gave to our officers confidence in themselves. By affording them much instruction and an opportunity of acquiring a practical knowledge of their profession, it prepared them for a future contest, in which they crowned themselves and their country with glory—fought their way to popularity at home, to the admiration of the world, and to the affections of their countrymen." It is moreover generally admitted, that the efforts of Mr. Jefferson, while in Paris, to form a perpetual alliance of the principal European powers against the Barbary States, and subsequently, while Secretary of State, to induce the administration to dispatch a force into the Mediterranean adequate to the protection of our commerce, laid the first foundations of the American navy. Upon this point, there is extant the authority of a gentleman, whose knowledge of the subject enabled him to pronounce an opinion which will not be questioned. The following letter from JOHN ADAMS to Mr. Jefferson, in 1822, with the answer of the latter annexed, places the history of the American navy in such a light, as ought to go far towards removing the injurious misapprehensions which have prevailed on the subject.

" I have long entertained scruples about writing this letter, upon a subject of some delicacy. But old age has overcome them at last.

" You remember the four ships ordered by Congress to be built, and the four captains appointed by Washington, Talbot, and Truxton, and Barry, &c. to carry an ambassador to Algiers, and protect our commerce in the Mediterranean. I have always imputed this

* Samuel Smith.

measure to you ; for several reasons. First, because you frequently proposed it to me while we were at Paris, negotiating together for peace with the Barbary powers. Secondly, because I knew that Washington and Hamilton were not only indifferent about a navy, but averse to it. There was no Secretary of the Navy ; only four Heads of department. You were Secretary of State ; Hamilton, Secretary of the Treasury ; Knox, Secretary of War ; and I believe Bradford was Attorney General. I have always suspected that you and Knox were in favor of a navy. If Bradford was so, the majority was clear. But Washington, I am confident, was against it in his judgment. But his attachment to Knox, and his deference to your opinion, for I know he had a great regard for you, might induce him to decide in favor of you and Knox, even though Bradford united with Hamilton in opposition to you. That Hamilton was averse to the measure, I have personal evidence ; for while it was pending, he came in a hurry and a fit of impatience to make a visit to me. He said, he was likely to be called upon for a large sum of money to build ships of war, to fight the Algerines, and he asked my opinion of the measure. I answered him that I was clearly in favor of it. For I had always been of opinion, from the commencement of the Revolution, that a navy was the most powerful, the safest, and the cheapest national defence for this country. My advice, therefore, was, that as much of the revenue as could possibly be spared, should be applied to the building and equipping of ships. The conversation was of some length, but it was manifest in his looks and in his air, that he was disgusted at the measure, as well as at the opinion that I had expressed.

“Mrs. Knox not long since wrote a letter to Doctor Waterhouse, requesting him to procure a commission for her son, in the navy ; ‘that navy,’ says her ladyship, ‘of which his father was the parent.’ ‘For,’ says she, ‘I have frequently heard General Washington say to my husband, the navy was your child.’ I have always believed it to be Jefferson’s child, though Knox may have assisted in ushering it into the world. Hamilton’s hobby was the army. That Washington was averse to a navy, I had full proof from his own lips, in many different conversations, some of them of length, in which he always insisted that it was only building and arming ships for the English. ‘*Si quid novisti rectius istis, candidus imperti ; si non, his utere mecum.*’”

Mr. Jefferson’s reply :

“I have racked my memory and ransacked my papers, to enable myself to answer the inquiries of your favor of October the 15th ; but to little purpose. My papers furnish me nothing, my memory, generalities only. I know that while I was in Europe, and anxious about the fate of our seafaring men, for some of whom, then

in captivity in Algiers, we were treating, and all were in like danger, I formed, undoubtedly, the opinion that our government, as soon as practicable, should provide a naval force sufficient to keep the Barbary States in order; and on this subject we communicated together, as you observe. When I returned to the United States and took part in the administration under General Washington, I constantly maintained that opinion; and in December, 1790, took advantage of a reference to me from the first Congress which met after I was in office, to report in favor of a force sufficient for the protection of our Mediterranean commerce; and I laid before them an accurate statement of the whole Barbary force, public and private. I think General Washington approved of building vessels of war to that extent. General Knox, I know, did. But what was Colonel Hamilton's opinion, I do not in the least remember. Your recollections on that subject are certainly corroborated by his known anxieties for a close connection with Great Britain, to which he might apprehend danger from collisions between their vessels and ours. Randolph was then Attorney General; but his opinion on the question I also entirely forget. Some vessels of war were accordingly built and sent into the Mediterranean. The additions to these in your time, I need not note to you, who are well known to have ever been an advocate for the wooden walls of Themistocles. Some of those you added, were sold under an act of Congress passed while you were in office. I thought, afterwards, that the public safety might require some additional vessels of strength, to be prepared and in readiness for the first moment of a war, provided they could be preserved against the decay which is unavoidable if kept in the water, and clear of the expense of officers and men. With this view I proposed that they should be built in dry docks, above the level of the tide waters, and covered with roofs. I further advised, that places for these docks should be selected where there was a command of water on a high level, as that of the Tiber at Washington, by which the vessels might be floated out, on the principle of a lock. But the majority of the legislature was against any addition to the navy, and the minority, although for it in judgment, voted against it on a principle of opposition. We are now, I understand, building vessels to remain on the stocks, under shelter, until wanted, when they will be launched and finished. On my plan they could be in service at an hour's notice. On this, the finishing, after launching, will be a work of time.

"This is all I recollect about the origin and progress of our navy. That of the late war, certainly raised our rank and character among nations. Yet a navy is a very expensive engine. It is admitted, that in ten or twelve years a vessel goes to entire decay: or, if kept in repair, costs as much as would build a new one: and that a nation who could count on twelve or fifteen years' of peace, would gain by burning its navy and building a new one in time. Its extent,

therefore, must be governed by circumstances. Since my proposition for a force adequate to the piracies of the Mediterranean, a similar necessity has arisen in our own seas for considerable addition to that force. Indeed, I wish we could have a convention with the naval powers of Europe, for them to keep down the pirates of the Mediterranean, and the slave ships on the coast of Africa, and for us to perform the same duties for the society of nations in our seas. In this way, those collisions would be avoided between the vessels of war of different nations, which beget wars and constitute the weightiest objection to navies. I salute you with constant affection and respect."

It appears that the only difference of opinion between these illustrious Statesmen on the subject of a Navy, was as to the extent to which it should be carried. Mr. Adams was for a heavy establishment, ready at all times, and sufficient to compete with that of the most powerful nation on the water, the moment it should become our adversary. Mr. Jefferson thought that its extent should always be regulated by circumstances; and this is unquestionably the republican doctrine. Being a very expensive engine, both in its first creation, and in its maintenance against the rapid and unavoidable ravages of exposure, he was for restraining it in time of peace to a force sufficient only for the protection of our commerce; and for confining all naval preparations against the contingency of war, to the building of ships in dry docks, where they could be kept free from decay, from the expense of officers and men, and ready at any moment for actual service.

In addition to the incompetency of our resources to maintain a powerful navy, other and weighty objections existed at this time, which always had great influence on the mind of the President. The necessary multiplication of those habitual violations of natural right, in the form of impressments, which affected him with such sincere horror; the perpetual collisions from other sources, fitted to embroil us continually with the nations whom we could indeed master on the land, were sensible reasons against exhausting our strength on a navy, and transferring the scene of combat to a theatre where the enemy were omnipotent and we were nothing. To these might perhaps be added, equality in the distribution of the public burthen, a favorite principle of administration with the President. One portion of the Union, whose contributions were least, would be elevated to greatness and wealth, to the depression

of another portion, whose contributions were greatest, and pecuniary remuneration comparatively little. If there was error in this consideration, it was founded in a tremulous anxiety for the good of the whole, rather than an undue influence of sectional feeling, which scarcely found a place even in the credulity of his enemies.

The plan for the establishment of dry docks, in pursuance of his naval system, was always a fruitful theme of raillery and reprobation against the President; and yet, it is somewhat surprising that the principle should have since been sanctioned by the government, and have obtained the concurrent approbation of the greatest maritime powers in Europe. A plan, agreeing in its chief features with that of Mr. Jefferson, though inferior to it in others, has since been adopted, both in this country and in Europe, for preventing ships from early decay, by keeping them out of the water, and protecting them from the weather. The most prodigal and aristocratic governments on the globe have now become converts to a practice, which, it was alleged, originated in the extreme of parsimony and pusillanimity.

The institution of gun-boats, which composed a part of the naval system recommended by the President, has received an unlimited measure of condemnation at the hands of his political opponents. In this, however, as in many other cases, it is but reasonable lenity to conclude, that a great proportion of the clamor and denunciation originated in a wide misconception of the views of administration, of which they could only command detached parts, through an awfully exaggerating medium. The fundamental error of the opposition, in the present case, arose from a misunderstanding of the object for which this species of naval armament was designed. It is evident, that the President relied on gun-boats to the exclusion of ships of war, only in time of peace, and as supplementary to them, on the occurrence of war, when they would prove an invaluable bulwark to all the vulnerable points of the country, until the ships could be let down from the stocks, and put in readiness. They were principally intended, in connection with land batteries, as fortifications of our harbors and sea-port towns, either in time of general peace, or when we were placed in the situation of neutrals; and even in time of war, they were more adequate to this purpose of defence than unwieldy frigates and ships of the line. In this view, they formed a necessary and ingenious part of that economi-

cal system of national defence, which he designed to substitute in place of the previously contemplated establishments. 'The system of fortifications projected by the preceding administration, considering the number of harbors, which from their situation and importance were entitled to defence, and the estimates already made of the fortifications planned for some of them, could not have been completed on a moderate scale for less than fifty millions of dollars; nor manned in time of war with less than fifty thousand men, and in peace, two thousand. And when completed, they would have availed little; because all military men agree, that whenever a vessel may pass a fort without tacking under her guns, which is the case at all our sea-port towns, she may be annoyed more or less, according to the advantages of the position, but can never be prevented. Our own experience during the revolutionary war proved this on various occasions.' These were the views and reasons, in part, which decided the President on adopting the institution of gun-boats, as a substitute in peace, in war an effective auxiliary. The outlines of the plan are exhibited in the following statement of the President.

"If we cannot hinder vessels from entering our harbors, we should turn our attention to the putting it out of their power to lie, or come to, before a town, to injure it. Two means of doing this may be adopted in aid of each other. 1. Heavy cannon on travelling carriages, which may be moved to any point on the bank or beach most convenient for dislodging the vessel. A sufficient number of these should be lent to each sea-port town, and their militia trained to them. The executive is authorized to do this; it has been done in a smaller degree, and will now be done more competently.

"2. Having cannon on floating batteries or boats, which may be so stationed as to prevent a vessel entering the harbor, or force her, after entering, to depart. There are about fifteen harbors in the United States, which ought to be in a state of substantial defence. The whole of these would require, according to the best opinions, two hundred and forty gun-boats. Their cost was estimated by Captain Rodgers at two thousand dollars each; but we had better say four thousand dollars. The whole would cost one million of dollars. But we should allow ourselves ten years to complete it, unless circumstances should force it sooner. There are three situations in which the gun-boat may be. 1. Hauled up under a shed¹ in readiness to be launched and manned by the seamen and militia of the town on short notice. In this situation she costs nothing but an enclosure, or a centinel to see that no mischief is done to

her. 2. Afloat, and with men enough to navigate her in harbor and take care of her, but depending on receiving her crew from the town on short warning. In this situation, her annual expense is about two thousand dollars, as by an official estimate at the end of this letter. 3. Fully manned for action. Her annual expense in this situation is about eight thousand dollars, as per estimate subjoined. When there is general peace, we should probably keep about six or seven afloat in the second situation; their annual expense twelve to fourteen thousand dollars; the rest all hauled up. When France and England are at war, we should keep, at the utmost, twenty-five in the second situation, their annual expense fifty thousand dollars. When we should be at war ourselves, some of them would probably be kept in the third situation, at an annual expense of eight thousand dollars; but how many, must depend on the circumstances of the war. We now possess ten, built and building. It is the opinion of those consulted, that fifteen more would enable us to put every harbor under our view into a respectable condition; and that this should limit the views of the present year. This would require an appropriation of sixty thousand dollars, and I suppose *that* the best way of limiting it, without declaring the number, as perhaps that sum would build more."

So much for the bruited system of fortification contemplated by the establishment of gun-boats,—the most simple, economical, and, when relied on for the strict purpose of its institution only, the most effective system of fortification ever yet devised by the wisdom of man. Its efficacy for the defence of harbors, may be estimated in part, from that of galleys, formerly much used, but less powerful, more costly in their construction and maintenance, and requiring more men. In the Mediterranean, the superiority of gun-boats for harbor service, has been eminently illustrated by experience. Algiers is particularly known to have owed to a great supply of these vessels, the safety of its city, since the epoch of their construction. Before that, it had been repeatedly insulted and injured. The effect of gun-boats in the neighborhood of Gibraltar is well known, and how much they were used both in the attack and defence of that place, during a former war. The remarkable action, between the Russian flotilla of gun-boats and galleys, and a Turkish fleet of ships of the line and frigates, in the Liman sea, in 1788, is matter of historical record. The latter, commanded by their most celebrated Admiral, were completely defeated, and several of their ships of the line destroyed. There is not, it is believed, a maritime nation in Europe, which has not adopted the same species of arma-

ment for the defence of some of its harbors ; the English and French certainly have ; by the Northern Powers of the continent, whose seas are particularly adapted to them, they are still more used ; and it is stated,* with much confidence, that the only occasion on which Admiral Nelson was ever foiled, was by gun-boats at Boulogne.

During the first four years of his administration, the opposition to the President was continued with unabated fury, though greatly diminished and constantly diminishing in numerical strength. The measures pursued by the General government for the amelioration of the public affairs, were so palpably wise and salutary, as to have united in its support, within that period, all descriptions of people who were not monarchists in principle. Those who were such, remained outstanding in all the tempestuousness of their indignation against the republican ascendancy. This grade of politicians, the President had from the beginning abandoned, as incurables, and declared he would never turn an inch out of his way to reconcile them. He considered them as utterly irreclaimable, to be taken care of in a mad-house if necessary, and on motives of charity. They were principally confined to the New England and Middle States, powerful in wealth, but feeble in numbers, and sinking daily in the public estimation and influence over their satellites, from the dissonance of their principles with the sentiments of the overwhelming majority of the nation. They were astounded at the suddenness and irresistibleness of the desertion ; but they had committed themselves too far to retract, and the violence of their opposition increased with its desperation. They brooded over their disappointments, bewailed their dilapidated greatness, gave vent to their angry discontents, through the newspapers under their control, and made as much noise as if they composed the whole nation. The old and insane aspersions of French influence, of jacobinism, of atheism, of libertinism, of seduction, of adultery, of cowardice, of treason, of fraud, robbery, &c. &c. were daily disgorged from the press and the pulpit ; new calumnies, of kindred audacity, were copiously invented, and disseminated with malignant industry. 'The clergy who had missed their union with the State, the Anglomen who had missed their union with Great Britain, the political adventurers who had lost the chance of swindling and plunder in the waste of public money,' and the Au-

* Southern Review, February No. 1830.

gean herd of quondam officers, who had been stript of the power to overawe and strangle the freedom of elections, kept up an interminable and obstreperous bawling, from the moment of the breaking up of their sanctuary, until the last hope of its recovery yielded to inextinguishable despair. Every measure of the administration, however meritorious, and demonstratively beneficial, great and wise, was reprobated with indiscriminate condemnation; and a thousand measures, which were never meditated, were weekly delated to the public, merely to found a text and pretext for calumniating commentaries. "I shall take no other revenge," the President wrote to a friend, "than, by a steady pursuit of economy and peace, and by the establishment of republican principles in substance and in form, to sink federalism into an abyss from which there shall be no resurrection for it." The following extract from a letter of the President to Judge Sullivan, of Massachusetts, gives a forcible idea of the licentiousness of the press, at this period, and of his remarkable firmness under it.

"You have indeed received the federal unction of lying and slandering. But who has not? Who will ever again come into eminent office, unanointed with this chrism? It seems to be fixed that falsehood and calumny are to be their ordinary engines of opposition; engines which will not be entirely without effect. The circle of characters equal to the first stations is not too large, and will be lessened by the voluntary retreat of those whose sensibilities are stronger than their confidence in the justice of public opinion. I certainly have known, and still know, characters eminently qualified for the most exalted trusts, who could not bear up against the brutal hackings and hewings of these heroes of Billingsgate. I may say, from intimate knowledge, that we should have lost the services of the greatest character of our country, had he been assailed with the degree of abandoned licentiousness now practised. The torture he felt under rare and slight attacks, proved that under those of which the federal bands have shown themselves capable, he would have thrown up the helm in a burst of indignation. Yet this effect of sensibility must not be yielded to. If we suffer ourselves to be frightened from our post by mere lying, surely the enemy will use that weapon; for what one so cheap to those of whose system of politics morality makes no part? The patriot, like the Christian, must learn that to bear revilings and persecutions is a part of his duty; and in proportion as the trial is severe, firmness under it becomes more requisite and praiseworthy. It requires, indeed, self-command. But that will be fortified in proportion as the calls for its exercise are repeated. In this I am persuaded we shall have the

benefit of your good example. To the other falsehoods they have brought forward, should they add, as you expect, insinuations of want of confidence in you from the administration generally, or myself particularly, it will, like their other falsehoods, produce in the public mind a contrary inference."

Driven to the last degree of desperation, and restrained by pride from acquiescing under the government, the rebellious temper of the opposition worked so convulsively as to force them at last into treasonable combinations for dismembering the Union. Horrible and painful as the retrospection may seem, it is the duty of impartial history to record, as a solemn admonition to future ages, that there were not wanting, even in this day of unexampled national prosperity, hearts to conceive and pens to advocate, a separation of the Union into Northern and Southern confederacies. The reader will recollect, with what severe and overpowering reasoning Mr. Jefferson rebuked a similar suggestion from a republican quarter, during the afflicting crisis of '98—'99, while laboring under the oppressions and persecutions of the Eastern monarchical ascendancy.* The plan of the opposition now was, to divide the republicans, join the minority, and by effecting a secession of the Eastern and part of the Middle States, to establish a separate government, under a heterogeneous amalgamation of federalism and republicanism. Nor was this stratagem wholly unsuccessful; many republicans were entrapped into it, which produced alarming schisms, in some States, among the supporters of the government. The following extracts from the correspondence of the President, in 1804, relative to this subject, are pregnant with instruction not inapplicable to the present generation.

TO G. GRANGER.—"In our last conversation you mentioned a federal scheme afloat, of forming a coalition between the federalists and republicans, of what they called the seven eastern States. The idea was new to me, and after time for reflection, I had no opportunity of conversing with you again. The federalists know that, *eo nomine*, they are gone for ever. Their object, therefore, is, how to return into power under some other form. Undoubtedly they have but one means, which is to divide the republicans, join the minority, and barter with them for the cloak of their name. I say, *join the minority*; because the majority of the republicans, not needing them, will not buy them. The minority, having no other means

* See page 380.

of ruling the majority, will give a price for auxiliaries, and that price must be principle. It is true that the federalists, needing their numbers also, must also give a price, and principle is the coin they must pay in. Thus a bastard system of federo-republicanism will rise on the ruins of the true principles of our revolution. And when this party is formed, who will constitute the majority of it, which majority is then to dictate? Certainly the federalists. Thus their proposition of putting themselves into gear with the republican minority, is exactly like Roger Sherman's proposition to add Connecticut to Rhode Island. The idea of forming seven Eastern States is moreover clearly to form the basis of a separation of the Union. Is it possible that real republicans can be gulled by such a bait? And for what? What do they wish, that they have not? Federal measures? That is impossible. Republican measures? Have they them not? Can any one deny, that in all important questions of principle, republicanism prevails? But do they want that their individual will shall govern the majority? They may purchase the gratification of this unjust wish, for a little time, at a great price; but the federalists must not have the passions of other men, if, after getting thus into the seat of power, they suffer themselves to be governed by their minority. This minority may say, that whenever they relapse into their own principles, they will quit them, and draw the seat from under them. They may quit them, indeed, but, in the mean time, all the venal will have become associated with them, and will give them a majority sufficient to keep them in place, and to enable them to eject the heterogeneous friends by whose aid they got again into power. I cannot believe any portion of real republicans will enter into this trap; and if they do, I do not believe they can carry with them the mass of their States, advancing so steadily as we see them, to an union of principle with their brethren. It will be found in this, as in all other similar cases, that crooked schemes will end by overwhelming their authors and coadjutors in disgrace, and that he alone who walks strict and upright, and who in matters of opinion will be contented that others should be as free as himself, and acquiesce when his opinion is fairly overruled, will attain his object in the end. And that this may be the conduct of us all, I offer my sincere prayers, as well as for your health and happiness."

To Doctor LOGAN.—"I see with infinite pain the bloody schism which has taken place among our friends in Pennsylvania and New York, and will probably take place in other States. The main body of both sections mean well, but their good intentions will produce great public evil. The minority, whichever section shall be the minority, will end in coalition with the federalists, and some compromise of principle; because these will not sell their aid for nothing. Republicanism will thus lose, and royalism gain, some portion of that

ground which we thought we had rescued to good government. I do not express my sense of our misfortunes from any idea that they are remediable. I know that the passions of men will take their course, that they are not to be controlled but by despotism, and that this melancholy truth is the pretext for despotism. The duty of an upright administration is to pursue its course steadily, to know nothing of these family dissensions, and to cherish the good principles of both parties. The war *ad internecionem* which we have waged against federalism, has filled our latter times with strife and unhappiness. We have met it, with pain indeed, but with firmness, because we believed it the last convulsive effort of that Hydra, which in earlier times we had conquered in the field. But if any degeneracy of principle should ever render it necessary to give ascendancy to one of the rising sections (of republicans) over the other, I thank my God it will fall to some other to perform that operation. The only cordial I wish to carry into my retirement, is the undivided good will of all those with whom I have acted."

It had been Mr. Jefferson's fixed intention, from the moment of his entering office, to have retired from the government at the expiration of his first term ; and he continued to indulge the pleasing anticipation until the ultimate point of time allowed him for a decision. But the unmitigable pertinacity of the opposition, which was now developing itself in threatening forms, in those inchoate divisions among the republicans in some States, which, by opening the question of a successor, their own folly and the machinations of the enemy would find scope and opportunity to consummate; forced his continuance in power another term, for the public good ; and the multitude of defamatory imputations, on which he had been solemnly arraigned before the world, required him to appeal once more to the tribunal of public opinion, for his own honor. "I sincerely regret," he wrote to a friend in Massachusetts, "that the unbounded calumnies of the federal party have obliged me to throw myself on the verdict of my country for trial, my great desire having been to retire at the end of the present term, to a life of tranquillity ; and it was my decided purpose when I entered into office. They force my continuance. If we can keep the vessel of State as steadily in her course for another four years, my earthly purposes will be accomplished, and I shall be free to enjoy, as you are doing, my family, my farm, and my books."

The President entertained no doubt of receiving a triumphant justification at the hands of his grateful countrymen. The affairs

of the nation were progressing in an unparalleled train of prosperity, internal and external. During the four years of the preceding administration, the national debt had *increased* about four millions of dollars, accompanied by excessive loans, on an usurious interest. During the three and a half years of Mr. Jefferson's administration, he had *extinguished* more than thirteen and a half millions of the principal of the public debt, with a greater sum of interest ! which was a nett gain, by the republican change, of seventeen and a half millions, or two and a half millions more than the whole purchase money of Louisiana ! and, proceeding in the same ratio, he would have discharged the whole national debt in twelve years more. That done, the annual revenue, which was now thirteen millions, and would then be twenty-five, would defray the expenses of any war we might be forced into, without recurrence to new taxes or loans. This great and fast increasing revenue, which had enabled the executive to double the original possessions of the United States, to extinguish the native title to a boundless extent of soil within their limits, to discharge the current expenses of the government, and to appropriate, by a fixed and permanent law, eight millions of dollars annually, to the extinguishment of the public debt—the whole of this revenue was derived from the consumption of foreign luxuries, by those who could afford to add them to domestic comforts. No farmer, no mechanic, no laborer ever saw a tax-gatherer of the United States ; nor was there any borrowing of money. The fruits of this golden era of the republic, were a commerce more extended, in proportion to our population, and an industry more productive, than the United States have enjoyed at any other period, before or since. Republicanism was re-established in all its ancient vigor, five sixths of the people being cordially aggregated in its support. In such a state of things, it was scarcely in human nature to desire a change of administration, or to conceive its practicability.

Though conducted with great animosity, the contest hardly deserved the name of one, so overwhelming was the majority in favor of the existing order of things. Mr. Jefferson was re-elected by a vote of one hundred and sixty-two against fourteen. The only States which voted for his opponent, Pinckney, were Connecticut and Delaware, with two districts in Maryland. George Clinton was elected Vice President by the same majority over Rufus King. The amendment of the Constitution, which in the mean time had

taken place, debared the minority from an attempt of the scandalous scenes of February, 1801. The unanimity of the vote on the present occasion, while it pronounced an incomparable judgment of approbation on the character of the administration, is really unexampled in the history of the United States, considering the circumstances of the times. The vote subsequently given to Mr. Monroe, though more nearly unanimous, was much less extraordinary. The latter vote was given in a season of dead calm; the former, amid the raging fury of the tempest. Every other Chief Magistrate, also, except General Jackson, has rode into office on the same tide of opinion that sustained his predecessor. They alone on an opposing one; and in four years Mr. Jefferson amalgamated both currents in his favor, in defiance of every obstruction which the ingenuity of man could devise.

On the 4th of March, 1805, Mr. Jefferson re-entered upon the duties of the Chief Magistracy, for another term. The same absence of all parade and ostentation, which characterized the former inauguration, was rigorously observed on the present occasion. As the first inaugural address of the restorer of republican government, had been appropriately all promise and profession, so the second was triumphantly all performance, being a modest recapitulation, in very succinct form, of the prominent transactions of his administration, in pursuance of the principles which he had inculcated from the beginning. How rarely does it happen to civil rulers to exhibit a faithful exemplification in office, of the professions which carried them into it! And what an unanswerable commentary does this rare occurrence pronounce, on the honesty and conscientious devotion to principle of the republican party of the United States. For the first time, perhaps, in the history of the world, was seen a body of men raised to power, steadily and scrupulously abiding by the principles they had professed during their exclusion; and, in self-denying obedience to this purpose, laboring to diminish the amount of patronage and influence, which they received from their predecessors.*

To the general character above stated of the second inaugural address of the President, there were two exceptions, in which additional principles were inculcated. The crusade preached against

* Warden's History of the United States.

philosophy by the disciples of steady habits, at that era, induced him to dwell at considerable length in illustrating its effects with the Indians. The craft and influence of these seditious intruders, operating upon the prejudices and ignorance of the Indians, had always embarrassed the general government in its efforts to change their pursuits, and ameliorate their unhappy condition. "These persons," said he, "inculcate a sanctimonious reverence for the customs of their ancestors; that whatsoever they did must be done through all time; that reason is a false guide, and to advance under its council in their physical, moral, or political condition, is perilous innovation; that their duty is to remain as their Creator made them, ignorance being safety, and knowledge full of danger; in short, my friends, among them is seen the action and counteraction of good sense and bigotry; they too, have their anti-philosophers, who find an interest in keeping things in their present state, who dread reformation, and exert all their faculties to maintain the ascendancy of habit over the duty of improving our reason and obeying its mandates."

The other exception abovementioned, in which new principles were advanced, regarded the appropriation of the surplus revenue of the nation, after the final redemption of the public debt. The epoch being not far distant, when that propitious event might be safely calculated to happen, the President thought it a fit occasion to suggest his views on the most eligible arrangement and disposal of the public contributions, upon the basis which would then be presented. Should the impost duties be suppressed, and that advantage given to foreign over domestic manufactures? Should they be diminished, and upon what principles? Or should they be continued, and applied to the purposes of internal improvement, education &c.? were questions which he submitted to the consideration of the people, and subsequently urged upon the attention of the Legislature in his official communications. They are questions which agitate the present authorities of the government, to a peculiar degree, and are becoming extremely interesting to the nation. The President did not hesitate to recommend, that the revenue, when liberated by the redemption of the public debt, should, by a just repartition among the States, and a corresponding amendment of the constitution, be applied, in time of peace, to rivers, canals, roads, arts, manufactures, education, and other great objects of pub-

lic utility within each State; and in time of war, should injustice by ourselves or others ever produce war, to meet the accumulated expenses of such a crisis from year to year, to which the superabundant and current resources would be fully adequate, without encroaching on the rights of future generations by burthening them with the debts of the past. War would then be but a suspension, for the time being, of useful works; and the restoration of peace, a return to the progress of improvement, untrammelled by pecuniary embarrassments. Instead, therefore, of reducing the revenue arising from the consumption of foreign articles, to the actual amount necessary for the current expenses of the government, the President recommended its continuance, with certain modifications, and application to works of internal improvement. On some articles of more general and necessary use, he advised a suppression of the impost; but the great mass of the articles on which duties were paid, were foreign luxuries, purchased by those who were rich enough to use them without feeling the tax. Their patriotism certainly, he thought, would prefer a continuance of the general system, which, while not oppressive to themselves, would prove immensely advantageous to the nation, by furnishing the means of public education, roads, rivers, canals, and such other objects of public improvement as it might be thought proper to add to the constitutional enumeration of federal powers. By these operations, new channels of communication would be opened between the States, the lines of separation be made to disappear, their interests be identified, and their union cemented by new and indissoluble ties.

Impressed with the eternal and inseparable connection between liberty and knowledge, he placed education among the first and worthiest of the objects of public care; 'not with a view to take its ordinary branches out of the hands of private enterprise, which managed so much better all the concerns to which it was equal; but for the purpose of enlarging its sphere, by supplying those sciences, which, though rarely called for, were yet necessary to complete the circle, all the parts of which contributed to the improvement of the nation, and some of them to its preservation.' In pursuance of this idea, he recommended to the consideration of Congress the establishment of a *National University*, with such an extension of the federal powers as should bring it legitimately within their jurisdiction. He believed an amendment of the constitution, by consent

of the States, necessary, as well for this, as for the other objects of public improvement, which he recommended ; because they were not among those enumerated in the constitution, and to which it permitted the public money to be applied. So early as 1806, he informed Congress, that by the time the State Legislatures should have deliberated upon the appropriate amendment to the constitution, the necessary laws be passed, and arrangements made for their execution, the requisite amount of funds would be on hand, and without employment. He contributed liberally to the establishment of the proposed institution, permitted his name to be placed at the head of it, and used every exertion to carry it into operation ; but the germ was unhappily blighted by sectional jealousies.

The pre-eminently happy and advantageous train in which the affairs of the nation were established, within the President's first term, left little for the residue of his administration to accomplish, except to maintain peace and neutrality amidst the agitating convulsions of a warring world ; and to rescue the Union from one of the most nefarious and gigantic conspiracies recorded in modern history. The measures called into action by these two formidable difficulties, developed two opposite extremes of character in the government, which were so admirably adapted each to its respective exigency, as to have worked out for the country an almost supernatural deliverance. The extraordinary forbearance and moderation manifested under the pressure of the external crisis, were as necessary to our safety, as the energy and promptitude with which the internal enemy was crushed, and laid prostrate at the feet of government, with all the embryo honors of rebellion on his head.

The traitorous conspiracy of Burr would scarcely have fallen within the purview of these outlines, were it not for the strong case presented in his acquital, in addition to many others that have since occurred, in which the predominance of federalism in the Judiciary, covered and emboldened by its irresponsibility, has set at defiance the Executive, the Legislature, and the general sense of the nation. Never was there an occurrence in which the innate force of this government was so eminently proved, as in the sudden suppression of this gigantic treason, nor in which its avenging powers were so completely baffled, as in the protection from condign punishment, of the arch mover and perpetrator. The conspiracy was one of the most flagitious of which history will ever furnish an example ; and there

was probably not a person in the United States who entertained a doubt of the real guilt of the accused. His purpose was to separate the western States from the Union, annex Mexico to them, establish a monarchical government, with himself at the head, and thus provide an example and an instrument for the subversion of our liberties. The American Cataline, cool, sagacious and wary, like his ancient prototype, had probably engaged one thousand men to follow his fortunes, without letting them know his projects, further than by assurances that the government approved of them. The great majority of his adherents took his assertion for this, but with those who would not, and were unwilling to embark in his enterprises without the approbation of the government, the following stratagem was practised. A forged letter, purporting to be from the Secretary of War, was made to express his approbation, and to say that the President was absent at Monticello, but that, on his return, the enterprise would be sanctioned by him without hesitation. This letter was spread open on Burr's table, so as to invite the eye of all who entered his room; and he contrived occasions of sending up into his room, those whom he wished to become witnesses of his acting under sanction. By this means, he avoided exposing himself to any liability to prosecution for forgery, while he proved himself a master in the arts of the conspirator. The moment the proclamation of the President appeared, undeceiving his deluded partisans, Burr found himself stripped of his surreptitious influence, and left with about thirty desperadoes only. The people rose in mass, wherever he appeared or was suspected to be, and by their energy, the rebellion was crushed in an instant, without the necessity of employing a detachment of the military, except to guard their respective stations. His first enterprise was to have seized New Orleans, which he supposed would effectually bridle the upper country, reduce it in subjection to him, and plant him at the door of Mexico without an enemy in the rear. But, on the unfurling the ensigns of the Union there was not a single native Creole, and only one American, of those settled there before we received the possession, but that abandoned his standard, and rallied under the sacred banners of the constitution. His real partisans were the new emigrants from the United States and elsewhere, fugitives from justice, disaffected politicians, and desperate adventurers of all descriptions. The event was a happy one. It was always a source of exultation to the President,

inasmuch as it realized his prophetic declaration on assuming the helm of public affairs—‘that a republican government was the strongest one on earth, and the only one, where every man at the call of the law, would fly to the standard of the law, and would meet infractions of the public order, as his own personal concern.’ The atrocity of the crime, however, and the existence of the most conclusive proof, compelled him, as it did every other reflecting mind, to seek in some other hypothesis than the jealous provisions of the laws in favor of the accused, the acquittal of this, the greatest of modern parricides. The result of the trial astonished the world, and confounded the spectators, from whose minds every doubt had vanished, when the investigation was suddenly arrested by the decision of the Court.

The truth is, the monarchical federalists made Burr’s case their own, as they did his moral treason in February, 1801, as they did the enterprise of Miranda, in 1805, and the insurrectionary plot of Henry in 1809, mortified only that he did not succeed in overturning the republic, and introducing their favorite establishment of a monarchy. The plainest principles of law were perverted to rescue the accused from condemnation. The trial was at first pressed on rather precipitately, without allowing the requisite time and facilities for procuring witnesses, and afterwards arrested, before one half of those in actual attendance were examined. Of the one hundred and thirty witnesses collected at Richmond, only fifteen were examined; and of these fifteen but a few were permitted to disclose any thing implicating the direct agency of Burr. The most material testimony was suppressed. All revealments were evaded by the accomplices, who betrayed a wonderful peculiarity of confidence in ulterior security, by the contemptuous rejection of pardons from the Executive. The very verdict of the jury, ‘that the accused was not proved guilty *by any evidence submitted to them*,’ was a virtual acknowledgement, that the defect was in the application of the law, or the law itself, not in the evidence of guilt; and this verdict was ordered to be recorded simply, ‘Not guilty.’ Indeed, all the abuses and despotic consequences of the immovable tenure of the Judiciary—except by process of impeachment—and their consequent irresponsibility to any practicable control, were conspicuously demonstrated on the present memorable occasion. They were so palpably enormous, and exposed to the pub-

lic eye, as to excite a deep sensibility through the republican body of the nation. No further confirmation was wanting to fix the President unalterably in the opinion, long entertained by him, that in this defect of the Constitution lurked the germ, which, unless timely eradicated, was destined to destroy the happy equilibrium of powers in the General government, and between the General and State governments. In a letter to Wm. B. Giles, he writes:—

“If there ever had been an instance in this or the preceding administrations, of federal judges so applying principles of law as to condemn a federal or acquit a republican offender, I should have judged them in the present case with more charity. All this, however, will work well. The nation will judge both the offender and judges for themselves. If a member of the executive or legislature does wrong, the day is never far distant when the people will remove him. They will see then, and amend the error in our constitution, which makes any branch independent of the nation. They will see that one of the great co-ordinate branches of the government, setting itself in opposition to the other two, and to the common sense of the nation, proclaims impunity to that class of offenders which endeavors to overturn the constitution, and are themselves protected in it by the constitution itself: for impeachment is a farce which will not be tried again. If their protection of Burr produces this amendment, it will do more good than his condemnation would have done. Against Burr, personally, I never had one hostile sentiment. I never, indeed, thought him an honest, frank-dealing man, but considered him as a crooked gun, or other perverted machine, whose aim or shot you could never be sure of. Still, while he possessed the confidence of the nation, I thought it my duty to respect in him their confidence, and to treat him as if he deserved it: and if his punishment can be commuted now for an useful amendment of the constitution, I shall rejoice in it.”

While on the subject of the independence of the Judiciary, it may be proper to examine the opinions of Mr. Jefferson at a subsequent date, in a more general sense, and under a more dispassionate contemplation of the question, than was practicable in the state of sensibility excited by the particular case of Burr. The tenure of good behavior allotted to the federal Judges, was a defect in the Constitution, of which no one thought at the time of its adoption, nor until the abusive tendencies of the principle had begun to develope themselves in action. The monstrous amplitude of jurisdiction assumed during the federal ascendancy, nearly co-extensive with the common law, the arrogance and severity of the Judges against of-

fenders under the Sedition Law, and the subsequent failure of the impeachment of Judge Chase for the most flagrant irregularities of official conduct, seem first to have awakened the thinking part of the public in general, and Mr. Jefferson in particular, to a sense of the dangerous error which made one of the three branches of government so effectually independent of the nation. His solicitudes upon this important subject appeared to increase every year afterwards, following him steadily into his retirement, as new occasions of usurpation administered new aliment to his alarms, and superadded materials for anxious political reflection. The following extract of a letter to William T. Barry, in 1822, evinces the state of his convictions at that period, and the earnestness of his endeavors to procure the necessary amendment of the Constitution.

“ Very many and very meritorious were the worthy patriots who assisted in bringing back our government to its republican tack. To preserve it in that will require unremitting vigilance. Whether the surrender of our opponents, their reception into our camp, their assumption of our name, and apparent accession to our objects, may strengthen or weaken the genuine principles of republicanism, may be a good or an evil, is yet to be seen. I consider the party division of whig and tory the most wholesome which can exist in any government, and well worthy of being nourished, to keep out those of a more dangerous character. We already see the power, installed for life, responsible to no authority (for impeachment is not even a scare-crow,) advancing with a noiseless and steady pace to the great object of consolidation. The foundations are already deeply laid by their decisions, for the annihilation of constitutional State rights, and the removal of every check, every counterpoise to the ingulphing power of which themselves are to make a sovereign part. If ever this vast country is brought under a single government, it will be one of the most extensive corruption, indifferent and incapable of a wholesome care over so wide a spread of surface. This will not be borne, and you will have to choose between reformation and revolution. If I know the spirit of this country, the one or the other is inevitable. Before the canker is become inveterate, before its venom has reached so much of the body politic as to get beyond control, remedy should be applied. Let the future appointments of judges be for four or six years, and renewable by the President and Senate. This will bring their conduct, at regular periods, under revision and probation, and may keep them in equipoise between the general and special governments. We have erred in this point, by copying England, where certainly it is a good thing to have the judges independent of the King. But we have omitted to copy their caution also, which makes a judge removable on the address

of both legislative Houses. That there should be public functionaries independent of the nation, whatever may be their demerit, is a solecism in a republic, of the first order of absurdity and inconsistency."

At the Revolution in England it was considered a great point gained in favor of liberty, that the commissions of the Judges, which had hitherto been during the pleasure of the King, should thenceforth be given during good behavior; and that the question of good behavior should be left to the vote of a simple majority in the two Houses of Parliament. A Judiciary, dependant on the will of the King, could never have been any other than a most oppressive instrument of tyranny; nothing, then, could be more salutary than a change to the tenure of good behavior, with the concomitant restraint of impeachment by a simple majority. The founders of the American Republic were more cordial in their jealousies of the Executive than either of the other branches; so true was this of Mr. Jefferson in particular, that he at first thought the qualified negative given to that magistrate on all the laws, should have been much further restricted. They, therefore, very properly and consistently adopted the English reformation of making the Judges independent of the Executive. But in doing this, they as little suspected they had made them independent of the nation, by requiring a vote of two thirds, in the Senatorial branch, to effect a removal. Experience has proved such a majority impracticable, where any defence is made, in a body of the strong political partialities and antipathies which ordinarily prevail. In the impeachment of Judge Pickering of New Hampshire, no defence was attempted, otherwise the party vote of more than one third of the Senate would have acquitted him. The Judiciary of the United States, then, is an irresponsible body; and history has established, if reason could not have foreseen, the 'slow and noiseless' despotism of its career, under the sanctuary of such a tenure. If the mischief is acknowledged, the only question should be, not when, but what should be the remedy? "I would not, indeed," says Mr. Jefferson, "make the Judges dependant on the Executive authority, as they formerly were in England; but I deem it indispensable to the continuance of this government, that they should be submitted to some practical and impartial control; and that this, to be impartial, must be compounded of a mixture of State and Federal authorities. It is not enough that honest men

are appointed Judges. All know the influence of interest on the mind of man, and how unconsciously his judgment is warped by that influence. To this bias add that of the *esprit de corps*, of their peculiar maxim and creed, that 'it is the office of a good Judge to enlarge his jurisdiction,' and the absence of responsibility; and how can we expect impartial decision between the General government, of which they are so eminent a part, and an individual State, from which they have nothing to hope or fear. We have seen too, that, contrary to all correct example, they are in the habit of going out of the question before them, to throw an anchor ahead, and grapple further hold for future advances of power. They are then, in fact, the corps of sappers and miners, steadily working to undermine the independent rights of the States, and to consolidate all power in the hands of that government, in which they have so important a freehold estate. But it is not by the consolidation or concentration of powers, but by their distribution, that good government is effected." "I repeat," he adds, "that I do not charge the Judges with willful and ill-intentioned error; but honest error must be arrested, when its toleration leads to public ruin. As, for the safety of society, we commit honest maniacs to Bedlam, so Judges should be withdrawn from the bench, whose erroneous biases are leading us to dissolution. It may, indeed, injure them in fame or in fortune; but it saves the Republic, which is the first and supreme law."

The latter part of Mr. Jefferson's administration was afflicted by a crisis in our foreign relations, which demanded the exercise of all that fortitude and emulous self-denial, which particularly immortalized the introductory stages of the Revolution, and charged the entire responsibility of the war upon Great Britain. Unfortunately, the fierce political passions and animosities engendered by the terrible contests of opinion, which had distracted the nation, and the demoralizing mania of commercial cupidity and avarice engendered by a twenty-four year's interval of peace, greatly interrupted on the present occasion, that spirit of indissoluble cohesion between the States, which, and which alone, carried us triumphantly through the crisis of emancipation, and of revolution from monarchism to republicanism. The generous enthusiasm of the spirit of '76 had, in a considerable measure, evaporated. Every description of embargo, and every degree of commercial deprivation, which was then

too little to satisfy the voluntary rivalry of self-immolation in the cause of country, was now too great to be endured, though clothed with the authority of law, and mercifully ordained for averting the otherwise inevitable and overwhelming calamities of a war, not with England alone, but with nearly the whole continent of Europe.

The memorable embargo of Mr. Jefferson was one of those extraordinary measures, which are occasionally indispensable to counteract extraordinary emergencies. There never was a situation of the world, which rendered the measure more imperative with America, than on the present occasion ; nor is it probable there will ever exist a parallel situation. The causes which combined to produce such a phenomenon in our foreign relations, are too substantially understood to require dilatation. From the renewal of hostilities between Great Britain and France, in 1803, down to the period at which the embargo was enacted, the commerce of the United States was subjected to a steady, deliberate and progressive accumulation of rival depredations by the belligerents, until it was effectually annihilated with nearly all the world. In the tremendous struggle for ascendancy, which animated these powerful competitors, and convulsed the European world to its centre, the laws of nature, and of nations, were utterly disregarded by both. The maritime interests of the United States constituted the desecrated medium through which the antagonists vied in the attempt to crush and overpower each other.—the injuries inflicted on our commerce by the one, being retaliated by the other, not on the aggressor, but on the innocent and peaceable victim to their united ferocity.

Anterior to the above named epoch, however, Great Britain had commenced her system of desolating interpolations upon the established law of nations. She first forbade to neutrals all trade with her enemies in time of war, which they had not in time of peace. This deprived them of their trade from port to port of the same nation. Then she forbade them to trade from the port of one nation to that of any other at war with her, although a right fully exercised in time of peace. And these prohibitions she had the audacity to assert, by declaring places blockaded, before which she had not a single vessel of war, contrary to all reason and the usages of civilized nations ; nay, she declared even places blockaded which her united forces would be incompetent to effect, such as entire coasts, and

whole empires. Next, instead of taking vessels only *entering* a blockaded port, she took them over the whole ocean, if destined to that port, although ignorant of the blockade, and with no intention to violate it. Then came the celebrated Berlin decree of the French Emperor, in November, 1806, which declared the British Islands in a state of blockade, and consequently interdicted our navigation to England and her dependencies. Then thundered forth the countervailing orders in council, on the part of Great Britain, which declared all France and her allies in a state of blockade, and consequently interdicted our navigation to France and her dependencies, comprehending nearly the whole continent of Europe. And these decrees and orders were followed by the famous Milan rejoinder of Bonaparte, and the surrejoinders of England, too numerous to mention, and more and more aggressive on the rights of unoffending, neutral America.

Under the joint operation of these antagonist edicts and proclamations, there was not a single port in Europe, or her dependencies, to which American vessels could navigate, without being exposed to capture and condemnation. In this situation what were the United States to do? To have made reprisals on both the belligerents, though rigorously and impartially just, would have been to commit us in a war with both and their respective allies, which would have been certain destruction. To have made reprisals on one and not on the other, under the existing circumstances, would have been a departure from just and impartial neutrality, and involved us, as a party, in the European conflagration. But to submit to the ferocious and unrestrained spoliations of the belligerents, without resistance and reprisal, was impossible; it would have amounted to a surrender, at once, of our independence as a nation, besides soon annihilating our property on the ocean. More than nine hundred American vessels were captured by the British, under their orders in council, at a time of profound peace between the two nations. American property, to the amount of thirty millions of dollars, was placed at the discretion of the Admiralty courts of Great Britain; and a still greater amount was submitted to the French council of prizes or council of State. In such a state of things, the only alternatives were: 1st, War with all Europe. 2d, Submission to universal and unrestrained piracy. 3d, Embargo, as a powerfully coercive peace measure, and a preparation for war. The President wisely

preferred the last, as the least of the three evils ; and in pursuance of his recommendation, the measure was adopted by Congress, on the 22d day of December, 1807, by overwhelming majorities in both Houses.

In addition to the joint aggressions on our neutral rights, under the sweeping paper blockades of both belligerents, Great Britain was in the distinct habit of daily violations of our sovereignty, in the form of impressments. The injuries perpetually rising from this source alone, constituted an abundant cause of war, and consequently of embargo, as to that nation. At no period since the commencement of the French revolution, had there been the want of a sufficient cause of war with Great Britain, in her vexations and lawless asportations of our seamen ; which ought to have silenced forever the ungenerous imputation that the present measure was the dictate of a fraudulent neutrality, favorable to Bonaparte. Denying the right of expatriation, the British ministry authorized the seizure of *naturalized* Americans wherever they could be found, under color of their having been born within the British dominions. From the abuses of this practice, sufficiently enormous in its rightful exercise, thousands of American citizens, *native born*, as well as naturalized, were subjected to the petty despotism of naval officers, acting as judges, juries, and executioners, and doomed by them to slavery, and death, or to become the instruments of destruction to their own countrymen.

Minor provocations and injuries were, in June 1807, absorbed in the audacity of an aggression, which is without a parallel in the history of independent nations at peace. By order of the British Admiral, Berkley, the ship *Leopard* of fifty guns, fired on the United States frigate *Chesapeake*, of thirty-six guns, within the waters of the United States, in order to compel the delivery of part of her crew, claimed as British subjects. After several broadsides from the *Leopard*, and four men killed on board the *Chesapeake*, the latter struck ; was boarded by the British ; and had four men taken from her, three of them native American citizens, one of whom was hanged as a British deserter. Never since the battle of Lexington had there existed such a state of universal exasperation in the public mind, as was produced by this enormity. Popular assemblies were convened in every considerable place, at which resolutions were passed, expressive of unqualified indignation at the outrage, and

pledging the lives, fortunes, and sacred honors of the people, to procure 'indemnity for the past, security for the future.'

Now was the time, above all others, when, if Mr. Jefferson was really actuated by undue partiality to France and hostility to England, as was always alleged against him, he might have effectually gratified his political passions, and have been justified by the whole nation. But, instead of convening Congress instantly upon the occurrence, when war would have been declared against England almost unanimously, he prudently deferred that measure until the extraordinary ebullition of the public mind had subsided. Maintaining a wise and discriminating moderation, however, as far removed from pusillanimity as rashness, he forthwith issued an energetic proclamation, interdicting British armed vessels from entering the waters of the United States, and commanding all those therein immediately to depart. In this manner, peace was judiciously prolonged, without any compromise of the national honor, and saving the right to declare war, under better auspices, on failure of an amicable reparation of the injury. By the time Congress assembled, the affair of the Chesapeake was hopefully committed to negotiation, with the additional constraint which it imposed on the British government to settle the whole subject of impressments. And the depredations on our neutral rights by the rival belligerents, under their orders in council and imperial decrees, were put together on an equal footing, and made the occasion of an embargo operating equally and impartially against both.

This was the only act of Mr. Jefferson's administration, which received the avowed approbation of the federalists as a party ; and the second one in his whole political life which attained to that rare distinction—his correspondence with Genet being the first. It is obvious that they were actuated by the same principle, on both occasions, in bestowing their commendations—viz. that of subservience to England and inveterate enmity to France, the reverse of which they had always so copiously charged upon the President. Alluding to the transaction some years after, Mr. Jefferson wrote to a friend : " Had I been personally hostile to England, and biased in favor of either the character or views of her great antagonist, the affair of the Chesapeake put war into my hand. I had only to open it, and let havoc loose. But if ever I was gratified with the possession of power, and of the confidence of those who had entrusted me

with it, it was on that occasion, when I was enabled to use both for the prevention of war, towards which the torrent of passion was directed almost irresistibly, and when not another person in the United States, less supported by authority and favor, could have resisted it." Again, in writing to Elbridge Gerry, in 1812, he says: "The vote of your opponents is the most honorable mark by which the soundness of your conduct could be stamped. I claim the same honorable testimonial. There was but a single act of my whole administration of which that party approved. That was the proclamation on the attack of the Chesapeake. And when I found they approved of it, I confess I began strongly to apprehend I had done wrong; and to exclaim with the Psalmist, 'Lord, what have I done that the wicked should praise me !'"

No measure adopted by the government of the United States, under every variety of difficulty through which it has struggled, has encountered so great a measure of odium, and of treasonable resistance, as the embargo of Mr. Jefferson. It was during its continuance, to wit, in the beginning of the year 1809, that the Essex denomination of federalists, availing themselves of the feverish discontents in the Eastern States to foment insurrection and rebellion, engaged in the diabolical conspiracy of John Henry, secret agent of the British Government, to accomplish the ancient purpose of a dissolution of the Union, by a detachment of the disaffected section, and its organization into a political connection with Great Britain. This was the last convulsive effort of the hydra of monarchy, Anglomany, hierocracy, &c. &c., prolonged indeed and pertinaciously sustained, until the victory of New Orleans, fortified by the restoration of peace, smothered it in the death-bed deliberations of its party at Hartford. "I doubt," says Mr. Jefferson in 1825, "whether a single fact, known to the world, will carry as clear conviction to it, of the correctness of our knowledge of the treasonable views of the federal party of that day, as that disclosed by this, the most nefarious and daring attempt to dis sever the Union, of which the Hartford Convention was a subsequent chapter." The knowledge of this detestable and extensive conspiracy, revolted from the federal party, one* of its most magnanimous leaders, whose prompt and patriotic disclosure of it to the President, identified him in principle with

* J. Q. Adams.

the republican body of his fellow-citizens, and occasioned the immediate substitution of non-intercourse with France and England, in place of the general embargo. The substance of the disclosures of this gentleman, confirmed by the subsequent divulgence of Henry himself, with its important influence on the revolution of measures adopted by the administration, is contained in the following extract of a letter to William B. Giles, written by Mr. Jefferson in 1825.

“That interview I remember well; not indeed in the very words which passed between us, but in their substance, which was of a character too awful, too deeply engraved in my mind, and influencing too materially the course I had to pursue, ever to be forgotten. Mr. Adams called on me pending the embargo, and while endeavors were making to obtain its repeal. He made some apologies for the call, on the ground of our not being then in the habit of confidential communications, but that that which he had then to make, involved too seriously the interest of our country not to overrule all other considerations with him, and make it his duty to reveal it to myself particularly. I assured him there was no occasion for any apology for his visit; that, on the contrary, his communications would be thankfully received, and would add a confirmation the more to my entire confidence in the rectitude and patriotism of his conduct and principles. He spoke then of the dissatisfaction of the eastern portion of our confederacy with the restraints of the embargo then existing, and their restlessness under it. That there was nothing which might not be attempted, to rid themselves of it. That he had information of the most unquestionable certainty, that certain citizens of the Eastern States (I think he named Massachusetts particularly) were in negotiation with agents of the British government, the object of which was an agreement that the New England States should take no further part in the war then going on*; that, without formally declaring their separation from the Union of the States, they should withdraw from all aid and obedience to them; that their navigation and commerce should be free from restraint and interruption by the British; that they should be considered and treated by them as neutrals, and as such might conduct themselves towards both parties; and, at the close of the war, be at liberty to rejoin the confederacy. He assured me that there was im-

* The apparent anachronism of this expression has since been explained by Mr. T. J. Randolph, grand-son of Mr. Jefferson, who says, that in frequent conversations with his grand-father on the subject, the words “war then going on,” were used figuratively and familiarly by him, to denote the ‘war of commercial restrictions,’ or the war waged by the belligerents on our commerce; and that they should be so understood in the letter. The subsequent phrase, “close of the war,” was meant to apply to the war then apprehended by him, and by others, as imminent and unavoidable.

minent danger that the convention would take place ; that the temptations were such as might debauch many from their fidelity to the Union ; and that, to enable its friends to make head against it, the repeal of the embargo was absolutely necessary. I expressed a just sense of the merit of this information, and of the importance of the disclosure to the safety and even the salvation of our country : and however reluctant I was to abandon the measure (a measure which persevered in a little longer, we had subsequent and satisfactory assurance would have effected its object completely,) from that moment, and influenced by that information, I saw the necessity of abandoning it, and instead of effecting our purpose by this peaceful weapon, we must fight it out, or break the Union. I then recommended to my friends to yield to the necessity of a repeal of the embargo, and to endeavor to supply its place by the best substitute, in which they could procure a general concurrence."

A further attention to history renders it still more problematical, whether the paramount objection to the embargo originated in an apprehension of its effects upon this country, or upon Great Britain—whether it was the dictate of genuine patriotism, or of systematic opposition to republican men and measures. The indetical description of characters who reprobated the course of administration on the present occasion, advocated and applauded a similar course, under both the antecedent Presidents. When the advocates of commercial discrimination, in the Congress of '94, exasperated to a bolder tone by a fresh infliction of maritime atrocities, were upon the point of passing a non-importation law against Great Britain, and a law for the sequestration of British debts, the federalists, in order to avert so heavy a calamity from their patron nation, became the zealous supporters of embargo, as a powerful incentive to negotiation, and a preventative of war. The embargo was carried by the federal vote ; and Mr. Jay was armed with it as a weapon for procuring a peaceable accommodation of difficulties at the Court of St. James. In February, 1800, an embargo was laid, under the auspices of Mr. Adams, prohibiting all intercourse between the United States, and France and her dependencies. This act was also passed by a federal Congress ; and not a murmur of discontent was heard among the merchants or politicians. On both these occasions France was injured, and England benefitted by the measure ! nor should it be forgotten that the very individuals, who were loudest in denouncing the embargo of Mr. Jefferson, and most clamorous for war, were the first to engage in turbulent and treasonable opposi-

tion to the war subsequently brought on us by accumulated aggressions from the same quarter. The mind can scarcely conceive a grosser series of political inconsistencies. The present crisis was infinitely more imperious for a general embargo, than either of the two former for a special one ; and the measure itself, though attended with much individual distress, was a blessing to those very individuals, on whom it pressed the heaviest. It only required them to do with their property what every prudent man would have done, of his own free will. As a substitute of war, it was the choice of a less evil for a greater, and at the same time annoyed the belligerent Powers more than could have been done by the most direct and open warfare. England felt it in her manufactures, by privations of the raw material, in her maritime interests, by the loss of her naval stores, and above all in the discontinuance of supplies essential to her colonies. France felt it in the deprivation of all those luxuries which she had been accustomed to receive through our neutral commerce, and in the still more distressing deprivation of necessities for her colonies. Our commerce was the second in the world, our carrying trade the very first, and had the restraint upon them been sacredly observed, it could not have failed to have coerced the European nations into justice. But the resistance was so great, so determined, and so daring, that it was found impracticable to enforce obedience, without provoking violence and insurrection. The consequence was, that the practical efficacy of the embargo, as an engine of coercion, proved greatly disproportioned to the reasonable expectations of its friends. But on whom should this imputation bear ? on the pacific author of the measure ? on its innate inaptitude and inefficiency ? or on those rather who were engaged in a regular course of thwarting its execution, by covert evasion under every extent and variety of smuggling, by open resistance, to the awful extremity of setting up the constituted authorities of the individual States in nullification of the powers of the General government, by exaggerated misrepresentations to England of its ruinous and disorganizing effects upon this country, and by treasonable correspondence and combination with the emissaries of Britain, for making it the instrument of breaking up the foundations of the republic.

But as a preparation for war, the utility of the embargo was confessedly inestimable. It gained a most desirable interval for our merchants to call home their property ; for our seamen to retire with

in the limits of security ; and for the government to place the nation in a firm attitude of offence as well as defence. From the moment of the attack on the Chesapeake, and especially after the passage of the embargo, every faculty was exerted by the President to be prepared for the last resort ; for he believed that the time would come, when war would be preferable to a continuance of the embargo, and that the latter should never be abandoned except for the former, so long as the British orders in council continued unrepealed. Nothing was omitted in the way of providing arms and military stores, detaching the militia, raising regiments, enlarging and equipping the navy, and placing the country completely *hors d'insulte* from any maritime force. During the whole time, also, negotiation was plyed unremittingly, and with all the potency, which the coercive tendency of its measures threw into the scale of our government. In order to single out an enemy, since to make war on both belligerents would have been ridiculous, instructions were given to our Minister at London, explicitly to declare, that in case Great Britain would rescind her hostile decrees in relation to us, our trade should be opened with her and remain shut to her enemy, in case he should refuse to rescind his decrees also. Authority was given to our Minister at Paris to make the same overture to France, except that, instead of giving a direct pledge, it was left to that government to *presume* a sufficient inducement with ours, on the revocation of their decrees, to repeal the embargo as to them, and continue it against England. France accepted the offer, and revoked her decrees against the United States ; though it was not until the embargo had been removed, except as to her and Great Britain, and Mr. Jefferson had retired from the government. England not only rejected the proposal, but declared by a solemn proclamation of her Prince Regent, that she would not rescind her orders *even as to us*, until those of France should be annulled *as to the whole world*. The United States thereupon declared war, adding the old account of impressments to the new account of commercial despotisms, and the avowed determination to pursue them. In this war, it was the glory of the United States to consummate the work of independence, by achieving the emancipation of the ocean, bearing off the palm of the contest with the overshadowing eclat of the battle of Orleans.

Among the distinguishing ornaments of the administrative policy of Mr. Jefferson, none was more conspicuous, none more congenial

to the distinctive nature of republicanism, than his scrupulous adhesion to the constitutional inviolability of the freedom of speech, freedom of the press, and freedom of religion. The various, bold, and arbitrary entrenchments upon these sacred rights, under the previous dynasties, in silencing by intimidation every expression of disapprobation at the government authorities; in characterizing with the legal appellation of seditious, incurring the penalties of a high misdemeanor, every printed exposition of their ruinous principles and practices; and in artfully confounding republicanism with Anti-Christ, to arouse, and sharpen, and concentrate upon the two-fold victim, the tremendous visitations of the priesthood; these despotic weapons, with other expedients and artifices, constituted a material part of the machinery employed by the terrorists of that day, for beating down the votaries of the real principles of the constitution,—the firm preservers of the liberties of the revolution. A general disbandment from the government, of these artificial supports, succeeded the elevation of Mr. Jefferson; and a system of rule entirely the reverse in all points, was rigorously substituted. Public opinion constituted its sole foundation, and private morality its invariable guide. The utmost latitude of discussion was not only tolerated, but invited and protected, as a fundamental ingredient in the composition of republican government, indispensable to preserve it from deterioration. The celebrated traveller, Baron Humboldt, calling on the President one day, was received into his cabinet. On taking up one of the public journals which lay upon the table, he was shocked to find its columns teeming with the most wanton abuse and licentious calumnies of the President. He threw it down with indignation, exclaiming, “Why do you not have the fellow hung who dares to write these abominable lies?” The President smiled at the warmth of the Baron, and replied—“What! hang the guardians of the public morals? No sir,—rather would I protect the spirit of freedom which dictates even that degree of abuse. Put that paper into your pocket, my good friend, carry it with you to Europe, and when you hear any one doubt the reality of American freedom, show them that paper, and tell them where you found it.” “But is it not shocking that virtuous characters should be defamed?” replied the Baron. “Let their actions refute such libels. Believe me,” continued the President, “virtue is not long darkened by the clouds of calumny; and the temporary pain which it causes is in-

finutely outweighed by the safety it insures against degeneracy in the principles and conduct of public functionaries. When a man assumes a public trust, he should consider himself as public property.”*

In pursuance of this principle, he discharged, immediately on coming into office, all those who were suffering persecution for opinion's sake under the operation of the Sedition Law. He interposed the executive prerogative in every instance, by ordering the prosecutions to be arrested at the threshold ; or, if judgment and execution had passed, by remitting the fines of the sufferers, and releasing them from imprisonment. The grounds on which he rested his right to act in these cases, are forcibly stated in answer to a correspondent in Massachusetts, who questioned the constitutionality of his interference.

“But another fact is, that I ‘liberated a wretch who was suffering for a libel against Mr. Adams.’ I do not know who was the particular wretch alluded to ; but I discharged every person under punishment or prosecution under the sedition law, because I considered, and now consider, that law to be a nullity, as absolute and as palpable as if Congress had ordered us to fall down and worship a golden image ; and that it was as much my duty to arrest its execution in every stage, as it would have been to have rescued from the fiery furnace those who should have been cast into it for refusing to worship the image. It was accordingly done in every instance, without asking what the offenders had done, or against whom they had offended, but whether the pains they were suffering were inflicted under the pretended sedition law. It was certainly possible that my motives for contributing to the relief of Callendar, and liberating sufferers under the sedition law, might have been to protect, encourage, and reward slander ; but they may also have been those which inspire ordinary charities to objects of distress, meritorious or not, or the obligation of an oath to protect the constitution, violated by an unauthorized act of Congress. Which of these were my motives, must be decided by a regard to the general tenor of my life. On this I am not afraid to appeal to the nation at large, to posterity, and still less to that Being who sees himself our motives, who will judge us from his own knowledge of them, and not on the testimony of Porcupine or Fenno.”

The President not only liberated all those under persecution by his enemies, but refused to permit a single prosecution in retaliation, even in the State courts, where they might have been rightfully

* Winter in Washington.

sustained on common law principles. This was at a time, too, when all the mounds of truth, reason and decency, were prostrated before the torrents of private and public vituperation,—when, during nearly the whole administration, the treasonable doctrine of a dissolution of the Union was openly advocated in the gazettes, and preached from the pulpit, with such incendiary vehemence and pertinacity, as imperiously demanded, in the opinion of many republicans even, a re-enactment and rigorous execution of the Sedition Law, to save the republic. Availing themselves of this state of things, the federal Judges in Connecticut made an attempt to seduce the administration into an acknowledgement of a common law jurisdiction in the federal court over libels. They instigated prosecutions in a multitude of instances, and in one particularly, went so far as actually to institute proceedings against a clergyman, for calumnies uttered against the Chief Magistrate from the pulpit. On the first intelligence of the prosecution, the President wrote to Mr. Granger, then in Connecticut, stating ‘that he had laid it down as a law to himself, to take no notice of the thousand calumnies issued against him, but to trust his character to his own conduct, and the good sense and candor of his fellow citizens; that he had found no reason to be dissatisfied with that course, and was unwilling it should be violated by others as to any matter concerning himself;’ and therefore requested him to desire the district attorney to dismiss the prosecution. Some time after, hearing of subpoenas being served on several gentlemen, as witnesses to attend the trial, he again wrote to require an immediate dismissal of the prosecution. The answer of Mr. Huntington, the district attorney, was, that the proceeding had been instituted, and the subpoenas issued by the defendant, without his knowledge; that it had been his intention, before receiving the President’s directions, to dismiss all the prosecutions at the first opening of the court, and to accompany it with an avowal of his opinion that they could not be maintained, because the federal court possessed no jurisdiction over libels. This was accordingly done; and the clergyman expressed his gratification at the discontinuance of the prosecution, accompanied by a disavowal of the alleged libel. The attorney acted on the same ground on which the President had, in the cases instituted under the preceding administration; to wit, ‘that the Sedition Law, being in the face of the constitution, was an absolute nullity, and that his obligation to

execute what was law, involved that of not suffering rights secured by valid laws, to be prostrated by what was no law.'

On the subject of religion, it was the unalterable policy of the President to maintain the freedom of thought and speech in all the latitude of which the human mind is susceptible, and as justly circumscribable by no human authority; to recognize, in his official capacity, no preference for the opinion of one man over that of another, whether he believed in one God, or twenty, or none at all; and to discountenance, by all the means in his power, every tendency to predominance and persecution in any sect, by proscription of the least degree, even in public opinion. The dogmas of a particular faith were no longer made a stalking-horse of political ambition, or a buttress of support to the authorities in power. Equal and universal toleration was the golden motto of the new order of things. The prospect of introducing a hierarchy in the United States, which had been a favorite idea with the royalists and religionists, from the establishment of the government, may be said to have received its annihilation, on the republican restoration in 1800. Rapid approaches to such an establishment had evidently been made, before that epoch, and indirectly, perhaps ignorantly, countenanced by the administration, in the general tendency of measures pursued by the supreme functionaries. The constant introduction of politics into the pulpits of the dominant order, in exaggerated commendation of the existing dynasty, and in equal defamation of the characters and principles of the opposition; the open avowal of the doctrine in the federal gazettes, that it was the 'sacred duty of clergymen to intermeddle in the concerns of the temporal power;' and the assumption of authority by the General government to prescribe religious exercises for the nation, were not among the least of the advances to a meretricious union of Church and State. Among the last struggles of the exploded oligarchy, was the appointment by the President of a grand National Fast, to be observed by all the States, and by all the people in each State. This was undoubtedly the darkest day for Christianity that the United States ever saw. The sacerdotal character was completely merged in that of the political zealot. The pulpit resounded with inflammatory denunciations of infidel democracy, French illuminism, &c. &c., and with overstrained eulogiums of the legitimacy and strait-laced sanctity of the ascendant party. Many now living may

recollect the degree of proscription, even to the deprivation of public office, which was visited on some of those who refused to observe the unconstitutional fast of the President.

It will ever be accounted one of the chief glories of Mr. Jefferson's succession, that he arrested the destructive career of these heresies ; and impressed upon the General government the same broad stamp of religious freedom and liberality, which he had formerly done on the special governments, first of Virginia, and thence by example, of the other States of the Union, in beautiful rotation. In doing this, he had to encounter all those fierce and intractable prejudices, which drew upon his dissolution of Church and State in Virginia, the terrible and lasting resentments of the privileged order. Such evidences are indeed rare, of the superiority of principle to the allurements of power and popularity. He not only discarded the aid of the Church, by disclaiming all right of interference in spiritual concerns, but dared to array the Church against him, by denying all right in the clergy to participate in temporal concerns. In truth, the life of Mr. Jefferson is a continued history of unremitting labors in the glorious work of achieving the emancipation of the conscience ; in consigning the bigotry of Protestantism to the tomb of the inquisition of Romanism, and the Juggernauts of Paganism ; in liberalizing the sentiments of opposing sectaries, and protecting the rights of the weaker against the persecutions of the stronger ; in liberating from the fetters of priestcraft, from the gloomy and ferocious mysteries of fanaticism, and the phantasies of superstition, "the most sublime, the most benevolent, yet most perverted system that ever shone on man ;" in advancing progressively, with the progress of light and liberty in the secular, the reformation of speculative opinions in the religious world, and in drawing an impassable line of separation between the two ; in inculcating a "firm adherence to justice, moderation, temperance, christian forbearance, brotherly love and charity." It is chiefly by his labors that the United States are placed centuries in advance of every other nation on the globe, in the possession of the rights of conscience : and to him, more than to any other individual, is the world at large indebted for the amount of religious liberty which it enjoys.

In reply to the solicitation of a very respectable clergyman, for the appointment of a National Fast, in conformity to the practice of his

predecessors, he assigns the reasons of his departure from their example, in measured terms.

"I consider the government of the United States as interdicted by the constitution from intermeddling with religious institutions, their doctrines, discipline, or exercises. This results not only from the provision that no law shall be made respecting the establishment or free exercise of religion, but from that also which reserves to the States the powers not delegated to the United States. Certainly, no power to prescribe any religious exercise, or to assume authority in religious discipline, has been delegated to the General government. It must then rest with the States, as far as it can be in any human authority. But it is only proposed that I should *recommend*, not prescribe, a day of fasting and prayer. That is, that I should *indirectly* assume to the United States an authority over religious exercises, which the constitution has directly precluded them from. It must be meant, too, that this recommendation is to carry some authority, and to be sanctioned by some penalty on those who disregard it; not indeed of fine and imprisonment, but of some degree of proscription, perhaps in public opinion. And does the change in the nature of the penalty make the recommendation less a *law* of conduct for those to whom it is directed? I do not believe it is for the interest of religion to invite the civil magistrate to direct its exercises, its discipline, or its doctrines; nor of the religious societies, that the General government should be invested with the power of effecting any uniformity of time or matter among them. Fasting and prayer are religious exercises; the enjoining them an act of discipline. Every religious society has a right to determine for itself the times for these exercises, and the objects proper for them, according to their own particular tenets; and this right can never be safer than in their own hands, where the constitution has deposited it.

"I am aware that the practice of my predecessors may be quoted. But I have ever believed, that the example of State executives led to the assumption of that authority by the General government, without due examination, which would have discovered that what might be a right in a State government, was a violation of that right when assumed by another. Be this as it may, every one must act according to the dictates of his own reason, and mine tells me that civil powers alone have been given to the President of the United States, and no authority to direct the religious exercises of his constituents."

Many credulous persons were overwhelmed with feverish apprehensions of the doleful consequences to religion, which would result from the elevation of Mr. Jefferson to power. They really believed in the gossiping forebodings of the politico-religious mounte-

banks of the day, that he would introduce a wild system of government, which should overthrow all the temples of devotion, burn all the Bibles in the land, abolish the institution of the Sabbath, and bring all the clergy to the guillotine. Humorous legends enliven the traditionary annals of many a country village in New England, of sundry old women being so haunted and tormented with these spectres, as to have hid their bibles and prayer-books, with most scrupulous and reverential precaution against the awful conflagration in expectancy. Such ideas were in reality quite prevalent at that period, and were so artfully impressed on the multitude by 'those who had mounted themselves on their fears,' as to influence a respectable portion of the elective population, in the less free-minded and enlightened districts of the Union. How this seven-fold refinement of Gothic delusion was dissipated by the event, it is almost needless to narrate. None of the sinister dreams and vagaries of the political soothsayers, were realized. Under the mild and pacific sway of Jefferson, religion flourished infinitely; not indeed, wrapped in the armour of spurious and artificial terrors, but in all the cogency of its native loveliness, embracing under its benignant and comprehensive mantle, all sects and denominations without partiality. It is an historical fact, that religion prevailed more extensively, and with a greater degree of purity, because more free from extraneous constraints and adulterations, than during any former period of the government. The clergy were respected; but in proportion only as they respected the sacred character of their office, and became sensible of their dependance for reputation and influence, upon the rectitude of their conduct—not upon the pomp, power, and patronage of the government. The institution of the Sabbath was mercifully permitted to continue as before; and if the Bibles did not remain as securely on their shelves, and the Meeting-houses on their foundations, it was because the former were in greater requisition for devotional exercises, and the latter were compelled to give place to more extensive and magnificent edifices, to accommodate the increasing throngs of a tax-relieved, prosperous, grateful and rejoicing people. With regard to the personal piety of the President, if external observances are of any account, it is well known that he was a constant and exemplary attendant upon public worship; liberal in contributions to the support of the simple, undogmatized religion of Jesus; but frowning and inflexible on all secta-

rian, aggrandizing, or visionary projects. It is stated with much confidence by a living chronicle* of those times, whose personal intimacy with the President enabled him to speak with authority on the subject, that 'he contributed to found more temples for religion and education than any other man of that age.'

The minor traits of Mr. Jefferson's administration open a range of topics, on which the historian might dwell and expatiate with ever-renewing delight. His *simplicity* was only equalled by his economy, of which he presented an example, in the extinguishment of more than thirty-three millions of the public debt, which is unparalleled in any previous history of the world. The diplomatic agents of foreign governments, on their introduction to him, were often embarrassed, and sometimes mortified, at the entire absence of etiquette with which they were received; but the awkwardness of the moment was soon lost in admiration of a character, and a scene, so congenial to the spirit of republican government. His arrivals at the Seat of Government, and departures therefrom, were so studiously timed and conducted, as to be unobserved and unattended. His inflexibility upon this point, so variant from the practice of his predecessors, could never be overcome; and he was finally permitted to pursue his own course, undisturbed by any manifestations of popular feeling. His uniform mode of riding was on horseback, which was daily, and always unattended. In one of these solitary excursions, while passing a stream of water, he was accosted by a feeble beggar, who implored his assistance to transport him and his baggage. He immediately mounted the beggar behind him, and carried him over; on perceiving he had neglected his wallet, he as good humoredly recrossed the stream and brought it over to him.

Although repeatedly and warmly solicited by his friends to make a tour to the North, he never could reconcile it to his obligations of propriety as a Chief Magistrate. In a private answer to Governor Sullivan of Massachusetts, on the subject, he wrote: "The course of life which General Washington had run, civil and military, the services he had rendered, and the space he therefore occupied in the affections of his fellow citizens, take from his examples the weight of precedents for others, because no others can arrogate to themselves the claims which he had on the public homage. To myself, there-

* S. H. Smith.

fore, it comes as a new question, to be viewed under all the phases it may present. I confess, that I am not reconciled to the idea of a Chief Magistrate parading himself through the several States as an object of public gaze, and in quest of an applause, which, to be valuable, should be purely voluntary. I had rather acquire silent good will by a faithful discharge of my duties, than owe expressions of it to my putting myself in the way of receiving them."

He carried his ideas of simplicity to such an extent as to deprecate the size of the house allotted to the Chief Magistrate. He thought it should have been turned into a University. Nor was it from any sordidness of disposition, any constitutional insensibility to the charms of elegance, that his extraordinary frugality, simplicity, and plainness proceeded; but purely from an exquisite sense of his obligations as a public man, and a determination to leave an example which should long counteract the natural tendency of nations to luxury, dissipation and extravagance. Had it been otherwise, he might with less contestable propriety, have deprecated the size and magnificence of his own Monticello, which, in the various buildings and rebuildings it underwent at his hands, to suit the progress of his taste in the arts, is believed to have cost more than the mansion of the Chief Magistrate. In his *private* expenditures, he was indeed liberal, to a fault. Humane and compassionate towards his fellow man, on a scale of benevolence which comprehended every distinction of color and condition, no feasible object of philanthropy was probably ever presented to him, which he did not encourage by the most generous assistance. But in the immediate circle of his friends, to whom, from the warmth of his feelings, he was ever devoted, his liberality appeared to know no limits. In the profusion of expensive presents which he lavished upon them, in the extensive accommodations of money with which he succored them under embarrassment, in the exuberant hospitality with which he entertained strangers and visitors from every country, and in his ordinary habits of living, which embraced all the enjoyments of a refined taste, such evidences of a private munificence appeared, as contrasted wonderfully with his frugality and simplicity as a public man.

One other trait of Mr. Jefferson, in the discharge of his official duties, deserves a conspicuous mention,—to wit, his *disinterestedness*. The distinguishable eminence of this quality is evidenced by the

fact that in all the splendid stations which he occupied, he accumulated nothing ; but retired from each of them much poorer than he entered, and from the last and greatest station, "with hands," to use his own expression, "as clean as they were empty,"—indeed, on the very verge of bankruptcy. While, in the short interval of eight years, he had saved to his country millions and millions of dollars, enough to make her rich and free, who was before poor and oppressed with taxation ; he, of the immense fortune with which he set out in life, had added nothing, and lost almost every thing. If any further testimony were wanting on this brilliant theme, it might be drawn from the fact of his having refrained from appointing a single relation to office. This was not only true of him, while President, but in every public station which he filled. Writing to a friend in 1824, he says : "In the course of the trusts I have exercised through life with powers of appointment, I can say with truth, and with unspeakable comfort, that I never did appoint a relation to office, and that merely because I never saw the case in which some one did not offer, or occur, better qualified." Nor, in the multiplied removals and replacements which he was compelled to make, did he eject a *personal enemy*, or appoint a *personal friend*. He felt it his duty to observe these rules, for reasons expressed in answer to an application for office by a relative : "That my constituents may be satisfied, that, in selecting persons for the management of their affairs, I am influenced by neither personal nor family interests, and especially, that the field of public office will not be perverted by me into a family property. On this subject, I had the benefit of useful lessons from my predecessors, had I needed them, marking what was to be imitated and what avoided. But, in truth, the nature of our government is lesson enough. Its energy depending mainly on the confidence of the people in their Chief Magistrate, makes it his duty to spare nothing which can strengthen him with that confidence."

In the crowd of official occupations which devolve on the Executive Magistrate, Mr. Jefferson found time to accomplish a succession of private labors and enterprises, which would have been enough of themselves, to have exhausted the ordinary measure of application and talent. A simple enumeration of the topics on which his leisure moments were employed, will suffice to exhibit the extent of his voluntary efforts for the improvement and happi-

ness of the nation. Regular Essays abound in his correspondence during this period, on Physics, Law, and Medicine ; on Natural History, particularly as connected with the aborigines of America ; on maxims for the regulation and improvement of our Moral Conduct, addressed to young men ; on Agriculture, Navigation, and Manufactures ; on Politics and Political Parties, Science, History and Religion. In some of those intervals when he could justifiably abstract himself from the public affairs, his meditations turned upon the subject of Christianity. He had some years before promised his views of the Christian religion to Dr. Rush, with whom, and with Dr. Priestly, he was in habits of harmonious and delightful intercommunication on the subject. The more he reflected upon it, the more, he confessed, ‘ it expanded beyond the measure of either his time or information.’ But he availed himself of a day or two, while on the road to Monticello, in 1803, to digest in his mind a remarkably comprehensive outline, entitled “A Syllabus of an estimate of the Merit of the Doctrines of Jesus, compared with those of others.” This he afterwards wrote out and forwarded to Dr. Rush, in discharge of his promise, but under a strict injunction of secrecy, to avoid the torture of seeing it “disembowelled by the Aruspices of Modern Paganism.” It embraced a comparative view of the Ethics of Christianity with those of Judaism, and of ancient Philosophy under its most esteemed authors ; particularly Pythagoras, Socrates, Epicurus, Cicero, Epictetus, Seneca, Antoninus. The result was, such a development of the immeasurable superiority of the doctrines of Christianity, that he declared ‘its Author had presented to the world a system of morals, which, if filled up in the style and spirit of the rich fragments he has left us, would be the most perfect and sublime that has ever been taught by man.’ Space can only be spared for the conclusions he arrived at, which were all on the side of Christianity. “They are the result,” says he, “of a life of inquiry and reflection, and very different from that anti-Christian system imputed to me by those who know nothing of my opinions.” The question of the Divinity, or Inspiration of Christ, being foreign to his purpose, did not enter into the estimate.

“1. He [Jesus] corrected the Deism of the Jews, confirming them in their belief of one only God, and giving them juster notions of his attributes and government.

"2. His moral doctrines, relating to kindred and friends, were more pure and perfect than those of the most correct of the philosophers, and greatly more so than those of the Jews ; and they went far beyond both in inculcating universal philanthropy, not only to kindred and friends, to neighbors and countrymen, but to all mankind, gathering all into one family, under the bonds of love, charity, peace, common wants, and common aids. A development of this head will evince the peculiar superiority of the system of Jesus over all others.

"3. The precepts of philosophy, and of the Hebrew code, laid hold of actions only. He pushed his scrutinies into the heart of man ; erected his tribunal in the region of his thoughts, and purified the waters at the fountain head.

"4. He taught, emphatically, the doctrine of a future state, which was either doubted, or disbelieved by the Jews ; and wielded it with efficacy, as an important incentive, supplementary to the other motives to moral conduct."

The President was in habits of frequent communication with the fraternity of literary men spread over the whole earth ; and with various societies in Europe, instituted for benevolent or useful purposes,—particularly the Agricultural Society of Paris, and the Board of Agriculture of London, of both of which he was a member. He was indefatigable in endeavoring to obtain the useful discoveries of these Societies, as they occurred, and in communicating to them, in return, those of the western hemisphere. He imported from France, at his own expense, two parcels of Merino sheep, among the first introduced into this country, with a variety of new inventions in the agricultural and mechanic arts, and new articles of culture, which have since become of general use in the United States. He transmitted to the Society of Paris, in return, several tierces of South Carolina rice, for cultivation in France ; and to the Board of Agriculture of London, several barrels of the genuine May wheat, of Virginia. Some of these exportations happened during the restraints of the embargo, and, on its getting into the newspapers, excited a furious and most ridiculous uproar against the President. His correspondence with the eminent philanthropists of Europe, particularly on the subject of Vaccination, at the epoch of the first intelligence of that momentous discovery ; his persevering efforts for introducing it into this country, against the weight of scepticism and ridicule which it encountered ; and his subsequent correspondence with Dr. Waterhouse and others, mingled with experimental exertions for

establishing and propagating its efficacy, are among the standing monuments of his indefatigableness in the general cause of humanity and usefulness, while at the head of the nation. Nor would it be justice to omit distinguishing among these disinterested services, his eloquent correspondence with the Emperor Alexander, who held the balance of power in Europe, for the purpose of engaging his intercession with the belligerent nations, to procure a restoration and liberalization of neutral rights, under the violations of which America was then laboring so critically. The following extract from one of his communications to the Emperor, written in the spring of 1806, in view of a general pacification then expected to be near, displays the ardor of his private endeavours, in aid of the public operations, to meliorate the condition of neutral nations.

“It will be among the latest and most soothing comforts of my life, to have seen advanced to the government of so extensive a portion of the earth, and at so early a period of his life, a sovereign, whose ruling passion is the advancement of the happiness and prosperity of his people: and not of his own people only, but who can extend his eye and his good will to a distant and infant nation, unoffending in its course, unambitious in its views.

“The events of Europe come to us so late, and so suspiciously, that observations on them would certainly be stale, and possibly wide of their actual state. From their general aspect, however, I collect that your Majesty’s interposition in them has been disinterested and generous, and having in view only the general good of the great European family. When you shall proceed to the pacification which is to re-establish peace and commerce, the same dispositions of mind will lead you to think of the general intercourse of nations, and to make that provision for its future maintenance, which in times past, it has so much needed. The northern nations of Europe, at the head of which your Majesty is distinguished, are habitually peaceable. The United States of America, like them, are attached to peace. We have then with them a common interest in the neutral rights. Every nation, indeed, on the continent of Europe, belligerent as well as neutral, is interested in maintaining these rights, in liberalizing them progressively with the progress of science and refinement of morality, and in relieving them from restrictions which the extension of the arts has long since rendered unreasonable and vexatious.

“Two personages in Europe, of which your Majesty is one, have it in their power, at the approaching pacification, to render eminent service to nations in general, by incorporating into the act of pacification, a correct definition of the rights of neutrals on the high seas. Such a definition, declared by all the powers lately or still belliger-

ent, would give to those rights a precision and notoriety, and cover them with an authority, which would protect them in an important degree against future violation ; and should any further sanction be necessary, that of an exclusion of the violating nation from commercial intercourse with all the others, would be preferred to war, as more analogous to the offence, more easy and likely to be executed with good faith. The essential articles of these rights, too, are so few and simple as easily to be defined.

“ Having taken no part in the past or existing troubles of Europe, we have no part to act in its pacification. But as principles may then be settled in which we have a deep interest, it is a great happiness for us that they are placed under the protection of an umpire, who, looking beyond the narrow bounds of an individual nation, will take under the cover of his equity the rights of the absent and unrepresented. It is only by a happy concurrence of good characters and good occasions, that a step can now and then be taken to advance the well being of nations. If the present occasion be good, I am sure your Majesty's character will not be wanting to avail the world of it. By monuments of such good offices may your life become an epoch in the history of the condition of man, and may He who called it into being for the good of the human family, give it length of days and success, and have it always in his holy keeping.”

The plan of colonizing the free people of color, in some place remote from the United States, originated with Mr. Jefferson, at an early period ; and on coming into the office of President, he prosecuted the enterprise with renewed energy. A correspondence was opened between him and Mr. Monroe, then Governor of Virginia ; and the first formal proceeding on the subject was made in the Virginia Legislature, soon after, to wit, about the year 1803. The purpose of his correspondence with Mr. Monroe, is explained in a letter from him about ten years afterwards, and published in the first annual report of the Colonization Society. He proposed to gain admittance to the free people of color, into the establishment at Sierra Leone, which then belonged to a private company in England ; or, in failure of that, to procure a situation in some of the Portuguese settlements in South America. He wrote to Mr. King, then our Minister in London, to apply to the Sierra Leone Company. The application was made, but without success, on the ground that the Company was about to dissolve, and relinquish its possessions to the government. An attempt to negotiate with the Portuguese Governor, was equally abortive, which suspended all active measures for a time. But the enterprise was kept alive by Mr. Jef-

person, who, by his impressive admonitions of its importance, held the Legislature of Virginia firm to its purpose. The subject was from time to time discussed, till in the year 1816 a formal resolution was passed almost unanimously, being but a repetition of certain resolutions which had been adopted in secret session at three distinct antecedent periods. It was truly the feeling and voice of Virginia, which was followed by the States of Maryland, Tennessee and Georgia. Colonization societies were then for the first time formed.*

In the catalogue of unofficial services, the improvements and embellishments which he showered upon the National Metropolis, are not among the least engaging. Almost every thing that is beautiful in the artificial scenery of Washington, is due to the taste and industry of Mr. Jefferson. He planted its walks with trees, and srewed its gardens with flowers. He was rarely seen returning from his daily excursions on horseback, without bringing some branch of tree, or shrub, or bunch of flowers, for the embellishment of the infant Capitol. He was familiar with every tree and plant, from the oak of the forest, to the meanest flower of the valley. The willow-oak was among his favorite trees; and he was often seen standing on his horse gathering the acorns from this tree. He had it in view to raise a nursery of them, which, when large enough to give shade, should be made to adorn the walks of all the avenues in the city. In the mean time, he planted them with the Lombardy poplar, being of the most sudden growth, contented that, though he could not enjoy their shade, his successors would. Those who have stood on the western portico of the Capitol, and looked down the long avenue of a mile in length to the President's house, have been struck with the beautiful colonnade of trees which adorns the whole distance, on either side. These were all planted under the direction of Mr. Jefferson, who often joined in the task with his own hands. He always lamented the spirit of extermination which had swept off the noble forest trees that overspread Capitol Hill, extending down to the banks of the Tiber, and the shores of the Potomac. He meant to have converted the grounds into extensive parks and gardens. "The loss is irreparable," said he to an European traveller, "nor can the evil be prevented. When I have seen such depreda-

* N. A. Review, vol. 18, page 41.

tions, I have wished for a moment to be a despot, that, in the possession of absolute power, I might enforce the preservation of these valuable groves. Washington might have boasted one of the noblest parks, and most beautiful malls, attached to any city in the world."

Such are a few of the private efforts and enterprises which Mr. Jefferson intermingled in the discharge of his public avocations. They were performed, too, without any dereliction of the sweets of social intercourse, or of literary occupation, which ever constituted the predominant passions of his soul. A regular portion of every day was devoted to the acquisition of science; and the most liberal portions, to the reception of company, whom he entertained, not with the constrained formality inspired by a mere sense of duty, but with a cordiality, amenity, and exhilaration, which betokened the highest gratification. The brilliancy of his diversified fame made Washington the peculiar attraction of strangers, of every description and country, during his administration; which, with the irrepressible enthusiasm of partisans and political admirers, who thronged to pay him their homage, subjected him to extraordinary interruptions on the score of company. The facility with which he discharged these draughts upon his attention, amidst the complication of public and necessary duties, was wont to excite the astonishment of those who visited him. The impression produced by his notice of a remark of a visiter, dropped in the freedom of conversation, and expressive of surprise at his being able to transact the public business, amidst such numerous interruptions, is well remembered to this day by those who heard it. "Sir," said Mr. Jefferson, "I have made it a rule, since I have been in public life, never to let the sun rise before me, and, before I breakfasted, to transact all the business called for by the day." Much of the ease and fidelity with which he acquitted himself, under such an accumulation of engagements, is ascribable to his extraordinary industry and versatility of practical talent, but more, perhaps, to system, and a methodical arrangement of time. So exact were his habits of order, that, in a cabinet overflowing with papers, every one was so labelled and arranged, as to be capable of access in a moment.

Mr. Jefferson had long contemplated with eagerness the approach of the happy day, which was to relieve him from the "distressing burthen of power," and restore him to the enjoyment of his family, his books, and his farm. Soon after the commencement of

his second term, he had requested his fellow citizens to think of a successor for him, to whom he declared 'he should deliver the public concerns with greater joy than he received them.' Mr. Madison was evidently his first choice, Mr. Monroe his second; but as the public sentiment appeared at first to show some symptoms of vacillation between them, he abstained from any agency in deciding its final direction; not only from a principle of duty, but from a desire to carry into his retirement the equal cordiality of those, whom he fondly characterized as "two principal pillars of his happiness." His wishes were successively ratified by the nation, in its successive choices; and their respective administrations, particularly that of Mr. Madison, were so nicely conformable to his own, in principle and in spirit, that they seemed but a continuation of power in the same hands. No higher eulogy could be affixed to the origination of a course of administrative policy, than that its authority should have been deemed so oracular with the nation, as to have made its strict observance by all succeeding Presidents, not only essential to their popularity, but absolutely conditional to their continuance beyond the four year's term of probation. When a distinguished French citizen, who had visited our country under the golden sway of this policy, returned to France, one of the first questions which Bonaparte asked him, was, 'What kind of a government is that of the United States?' 'It is one, Sir,' he replied, 'which you can neither *feel* nor *see*.' The First Consul asked no more questions; feeling, that such a panegyric on this government, was the severest satire on his.

The voice of the nation, under the influence of a misguided partiality, was strong and importunate for a re election of him who had developed the genius of their government so truly, and modelled its character so exquisitely; but he rejected the allurements, in dignified and inflexible adherence to a principle which he wished to become as inviolable as if incorporated into the Constitution. Not only principle, but the strongest of inclinations dictated to him such a course. If there was any one sentiment, next to the love of country, which was now uppermost in the breast of Mr. Jefferson, it was that of his familiar assertion, 'that he never felt so happy as when shifting power from his own shoulders upon those of another.' He had lived to conduct the vessel of State eight years steadily in her course; to establish and carry through a system of administration which he had originally proposed for the restoration of the govern-

ment to its 'republican tack;' to witness the whole body of the nation, except the leaders of the antagonist faction, cordially amalgamated in its support; and to see in his successor, a guarantee of continued prosperity, order, and maintenance of sound principles. What more could he desire? His earthly purposes were answered; and he resolved to make the rich consummation the date of his final retirement from all public employments. The early impatience with which he anticipated the appointed epoch, and the lively satisfaction with which he saluted its arrival, as dispersed through his private correspondence, realize all that has been written or fancied on the moral sublimity of the spectacle of a great man voluntarily resigning power.

"I have tired you, my friend, with a long letter. But your tedium will end in a few lines more. Mine has yet two years to indure. I am tired of an office where I can do no more good than many others, who would be glad to be employed in it. To myself, personally, it brings nothing but unceasing drudgery, and daily loss of friends. Every office becoming vacant, every appointment made, *me donne un ingrat, et cent ennemis*. My only consolation is in the belief, that my fellow citizens at large give me credit for good intentions. I will certainly endeavor to merit the continuance of that good will which follows well intended actions, and their approbation will be the dearest reward I can carry into retirement."

"At the end of my present term, of which two years are yet to come, I propose to retire from public life, and to close my days on my patrimony of Monticello, in the bosom of my family. I have hitherto enjoyed uniform health; but the weight of public business begins to be too heavy for me, and I long for the enjoyment of rural life, among my books, my farms, and my family. Having performed my *quadragena stipendia*, I am entitled to my discharge, and should be sorry, indeed, that others should be sooner sensible than myself when I ought to ask it."

"Within a few days I retire to my family, my books, and farms; and having gained the harbor myself, I shall look on my friends still buffeting the storm, with anxiety indeed, but not with envy. Never did a prisoner, released from his chains, feel such relief as I shall on shaking off the shackles of power. Nature intended me for the tranquil pursuits of science, by rendering them my supreme delight. But the enormities of the times in which I have lived, have forced me to take a part in resisting them, and to commit myself on the boisterous ocean of political passions. I thank God for the opportunity of retiring from them without censure, and carrying with me the most consoling proofs of public approbation. I leave every thing

in the hands of men so able to take care of them, that if we are destined to meet misfortunes, it will be because no human wisdom could avert them. Should you return to the United States, perhaps your curiosity may lead you to visit the hermit of Monticello. He will receive you with affection and delight; hailing you in the mean time with his affectionate salutations, and assurances of constant esteem and respect."

In the spring of 1809, Mr. Jefferson made his last and gladsome retreat to the hermitage of Monticello. He retired from a forty years' possession of accumulative honors, and from the summit of human popularity, with a mind untainted in its principles, unsophisticated in its views and feelings, with the same jealousy of power, the same love of equality and abhorrence of aristocracy, and the same unbounded confidence in the people. He was sixty-six years old. At the same age, singular coincidence, have all the other Chief Magistrates retired from office—Washington, Adams, Madison, Monroe—except the younger Adams, who wanted but the ordinary term of service to complete the same number of years.

He was accompanied into retirement with the overflowing plaudits and benedictions of his grateful countrymen. Addresses upon addresses, public and private, by political assemblies, religious associations, and literary institutions, were showered upon him, expressive of enthusiastic approbation of his conduct in the administration of the government, and beaming with affectionate prayers for his future tranquillity and happiness. To the citizens of Washington who assembled to pay him a farewell tribute of their affection, he replied, in a style which betrayed the engrossing sentiments of his heart: "I receive with peculiar gratification the affectionate address of the citizens of Washington, and in the patriotic sentiments it expresses, I see the true character of the National Metropolis. 'The station which we occupy among the nations of the earth, is honorable, but awful. Trusted with the destinies of this solitary republic of the world, the only monument of human rights, and the sole depository of the sacred fire of freedom and self government, from hence it is to be lighted up in other regions of the earth, if other regions of the earth shall ever become susceptible of its genial influence. All mankind ought, then, with us, to rejoice in its prosperous, and sympathize in its adverse fortunes, as involving every thing dear to man. And to what sacrifices of interest, or convenience, ought not these considerations to animate us! To what

compromises of opinion and inclination, to maintain harmony and union among ourselves, and to preserve from all danger this hallowed ark of human hope and happiness! That differences of opinion should arise among men, on politics, on religion, and on every other topic of human enquiry, and that these should be freely expressed in a country where all our faculties are free, is to be expected. But these valuable privileges are much perverted when permitted to disturb the harmony of social intercourse, and to lessen the tolerance of opinion. To the honor of society here it has been characterized by a just and generous liberality; and an indulgence of those affections, which, without regard to political creeds, constitute the happiness of life."

The inhabitants of his native county, Albemarle, were eager of the occasion to testify those peculiar emotions of gratitude and veneration, which they felt for their 'illustrious neighbor and friend;' and to welcome him, in a distinguished manner, 'to those sweets of retirement for which he had so often sighed.' With this view, they formed the determination at a public meeting, to receive him in a body at the extremity of the county, and conduct him home. Fearful, however, lest the zeal of friendship might inflict a wound on his characteristic modesty, they previously submitted to him their intention. In reply, he expressed in the most affectionate terms his wish, that 'his neighbors would not take so much trouble on his account.' The idea was accordingly relinquished. But at a subsequent meeting of the inhabitants of the county, an Address was unanimously adopted and ordered to be presented to him, in which they added to the general gratulations of the nation, their particular sensations of love and reverence, in the most affecting terms. "As individuals," it concluded, "among whom you were raised, and to whom you have at all times been dear, we again welcome your return to your native county, to the bosom of your family, and to the affections of those neighbors who have long known, and have long revered you in private life. We assure you, Sir, we are not insensible to the many sacrifices you have already made, to the various stations which have been assigned you by your country; we have witnessed your disinterestedness, and while we feel the benefits of your past services, it would be more than ingratitude in us, did we not use our best efforts to make your latter days as tranquil and as happy, as your former have been bright and glorious."

To this Address Mr. Jefferson returned the following answer.

"Returning to the scenes of my birth and early life, to the society of those with whom I was raised, and who have been ever dear to me, I receive, fellow citizens and neighbors, with inexpressible pleasure, the cordial welcome you are so good as to give me. Long absent on duties which the history of a wonderful era made incumbent on those called to them, the pomp, the turmoil, the bustle, and splendor of office, have drawn but deeper sighs for the tranquil and irresponsible occupations of private life, for the enjoyment of an affectionate intercourse with you, my neighbors and friends, and the endearments of family love, which nature has given us all, as the sweetener of every hour. For these I gladly lay down the distressing burthen of power, and seek, with my fellow citizens, repose and safety under the watchful cares, the labors, and perplexities of younger and abler minds. The anxieties you express to administer to my happiness, do, of themselves, confer that happiness; and the measure will be complete, if my endeavors to fulfil my duties in the several public stations to which I have been called, have obtained for me the approbation of my country. The part which I have acted on the theatre of public life, has been before them; and to their sentence I submit it: but the testimony of my native country, of the individuals who have known me in private life, to my conduct in its various duties and relations, is the more grateful, as proceeding from eye witnesses and observers, from triers of the vicinage. Of you, then, my neighbors, I may ask, in the face of the world, 'Whose ox have I taken, or whom have I defrauded? Whom have I oppressed, or of whose hand have I received a bribe to blind mine eyes therewith?' On your verdict I rest with conscious security. Your wishes for my happiness are received with just sensibility, and I offer sincere prayers for your own welfare and prosperity."

Among the numerous testimonials of the public gratitude, elicited on this gratifying occasion, the 'valedictory address of the General Assembly of Virginia,' is deservedly the most distinguished. It is too rich a document intrinsically, and too proudly associated with the reputation of him whose merits it was intended to commemorate, not to require an insertion. It was agreed to by both Houses, on the 7th of February, 1809.

"Sir,—The General Assembly of your native State cannot close their session, without acknowledging your services in the office which you are just about to lay down, and bidding you a respectful and affectionate farewell.

"We have to thank you for the model of an administration conducted on the purest principles of republicanism; for pomp and state laid aside; patronage discarded; internal taxes abolished; a host of superfluous officers disbanded; the monarchic maxim that

'a national debt is a national blessing,' renounced, and more than thirty-three millions of our debt discharged; the native right to nearly one hundred millions of acres of our national domain extinguished; and, without the guilt or calamities of conquest, a vast and fertile region added to our country, far more extensive than her original possessions, bringing along with it the Mississippi and the port of Orleans, the trade of the West to the Pacific ocean, and in the intrinsic value of the land itself, a source of permanent and almost inexhaustible revenue. These are points in your administration which the historian will not fail to seize, to expand, and teach posterity to dwell upon with delight. Nor will he forget our peace with the civilized world, preserved through a season of uncommon difficulty and trial; the good will cultivated with the unfortunate aborigines of our country, and the civilization humanely extended among them; the lesson taught the inhabitants of the coast of Barbary, that we have the means of chastising their piratical encroachments, and awing them into justice; and that theme, on which, above all others, the historic genius will hang with rapture, the liberty of speech and of the press, preserved inviolate, without which genius and science are given to man in vain.

"In the principles on which you have administered the government, we see only the continuation and maturity of the same virtues and abilities, which drew upon you in your youth the resentment of Dunmore. From the first brilliant and happy moment of your resistance to foreign tyranny, until the present day, we mark with pleasure and with gratitude the same uniform, consistent character, the same warm and devoted attachment to liberty and the republic, the same Roman love of your country, her rights, her peace, her honor, her prosperity.

"How blessed will be the retirement into which you are about to go! How deservedly blessed will it be! For you carry with you the richest of all rewards, the recollection of a life well spent in the service of your country, and proofs the most decisive, of the love, the gratitude, the veneration of your countrymen.

"That your retirement may be as happy as your life has been virtuous and useful; that our youth may see, in the blissful close of your days, an additional inducement to form themselves on your model, is the devout and earnest prayer of your fellow-citizens who compose the General Assembly of Virginia."

Thus terminated the political career of one who had been a principal agent of two Revolutions, and an eye-witness of a third, generated in the prolific womb of the first; of one who, from his entrance into manhood, had continued the unyielding advocate of principles, which, first discarded, next endured, then embraced, had eventually swayed the destinies of his country through the perilous

and successive convulsions of transformation from a monarchical to a free structure of government, and of deliverance from the fatal catastrophe of a counter-revolution, in the last extremities of exhaustion, despair, and self-abandonment ; who had lived to see the potent energies of those principles so extensively transfused into the very sycophants of the tyrants of the old world, temporal and spiritual, as that the earth was every where shaking under their feet ; and who, at last, enjoyed the ineffable consummation of seeing his name become the synonym of political orthodoxy at home, and the watchword of the isolated aspirants for its attainment, in all parts of the civilized world.

“Bright are the memories link’d with thee,
Boast of a glory-hallowed land,
Hope of the valiant and the free.”

Thus had he performed his wonderful course, and thus, full of years, and covered with glory, in the rich fruition of his earliest and sweetest aspirations, he was ready, as to all political affairs, to utter his favorite invocation : *Nunc dimittas, Domine*—‘Lord, now lettest thou thy servant depart in peace.’

CHAPTER XIV.

In repairing with so much eagerness to the shades of his native mountains, it seems not to have entered the mind of Mr. Jefferson to relax his efforts for the benefit and happiness of mankind, but to divert them into a channel more analogous to his disposition. His whole life, he was in the habit of remarking, had been at war with his natural taste, feelings and wishes. Circumstances had led him along, step by step, the path he had trodden, and like a bow long bent, when unstrung, he resumed with delight the character and pursuits for which nature designed him. His was not the retirement of one who sought refuge from the pangs of disappointed ambition, and the world’s mockery of them, in the vain, though vaunted resource of oblivion and stoical insensibility ; or who coveted repose from the giddy turbulence of the scene, to indulge in inglorious indolence and inanity. No, his was the voluntary seclusion of one, “who,” as it has been beautifully said, “had well filled

a noble part in public life, from which he was prepared and anxious to withdraw ; who sought retirement to gratify warm affections, and to enjoy his well earned fame ; who desired to turn those thoughts which had been necessarily restrained and limited, to the investigation of all the sources of human happiness and enjoyment : who felt himself surrounded, in his fellow citizens, by a circle of affectionate friends, and had not to attribute to a rude expulsion from the theatre of ambition, his sincere devotion to the pursuits of agriculture and philosophy ; and who, receiving to the last moment of his existence continued proofs of admiration and regard, which penetrated his remote retirement, devoted the remainder of his days to record those various reflections for which the materials had been collected and treasured up, unknown to himself, on the long and various voyage of his life."

To do justice to the remaining portion of Mr. Jefferson's life, which is fitly described as having been appropriated ' to the investigation of all the sources of human happiness and enjoyment,' would exceed the competency of any one not conversant with his daily avocations, and admitted into all the mysteries of his mighty cabinet. In the possession of undecayed intellectual powers, and a physical strength unsubdued by the labors which ' the history of a wonderful era had made incumbent on him,' he devoted the remnant of his days to the precious employment of unlocking all the store-houses of human knowledge, and dispensing their rich treasures to the generation who had succeeded him on the theatre of public affairs ; and to laying the foundations for the still greater extension of science, and indigenous political philosophy, for the benefit of the still succeeding generations who should rise up, *in perpetuum*, and assume the direction of the interests of society, by the establishment of a Colossean Seminary of learning, which should rival the institutions of Cambridge and Oxford. These were his wisest, if not his happiest, days. The streams of oracular wisdom which flowed from his consecrated retreat, have continued to nourish the principles of the noble fabric which he reared, and to preserve from degeneracy those who have successively been constituted the depositories of its sacred functions. May the time never arrive when they shall cease to maintain their ascendancy in the councils of the nation, and to exert their healthful and restraining influence over its authorities. To give place for a series of selection

from his cabinet, developing the OPINIONS of the Monticellean philosopher, on questions the most interesting and important to mankind, and which have not yet been brought into special review ; his observations on the distinguished characters with whom he acted, or came in contact, in the course of his various career ; on the parties and political occurrences of the passing day ; his daily occupations and habits of living, &c.—expressed in the freedom of private and unrestrained confidence, seems the most satisfactory method of supplying that portion of his history, for which the materials are of too abstract a nature to be adapted to historical narrative. The quotations must be necessarily limited, broken, and in some cases, perhaps, insufficient to convey a perfect idea of the writer's opinions.

RELATIVE POWERS OF THE GENERAL AND STATE GOVERNMENTS.—“ With respect to our State and Federal governments, I do not think their relations correctly understood by foreigners. They generally suppose the former subordinate to the latter. But this is not the case. They are co-ordinate departments of one simple and integral whole. To the State governments are reserved all legislation and administration, in affairs which concern their own citizens only, and to the Federal government is given whatever concerns foreigners, or the citizens of other States ; these functions alone being made federal. The one is the domestic, the other the foreign branch of the same government ; neither having control over the other, but within its own department. There are one or two exceptions only to this partition of power. But you may ask, if the two departments should claim each the same subject of power, where is the common umpire to decide ultimately between them ? In cases of little importance or urgency, the prudence of both parties will keep them aloof from the questionable ground : but if it can neither be avoided nor compromised, a convention of the States must be called, to ascribe the doubtful power to that department which they may think best.”

RELATIVE POWERS OF EACH BRANCH IN THE GENERAL GOVERNMENT.—“ You seem to think it devolved on the judges to decide on the validity of the sedition law. But nothing in the constitution has given them a right to decide for the executive, more than to the executive to decide for them. Both magistracies are equally independent in the sphere of action assigned to them. The judges, believing the law constitutional, had a right to pass a sentence of fine and imprisonment ; because the power was placed in their hands by the constitution. But the executive, believing the law to be unconstitutional, were bound to remit the execution of it :

because that power has been confided to them by the constitution. That instrument meant that its co-ordinate branches should be checks on each other. But the opinion which gives to the judges the right to decide what laws are constitutional, and what not, not only for themselves in their own sphere of action, but for the legislature and executive also in their spheres, would make the judiciary a despotic branch."

"If this opinion be sound, then indeed is our constitution a complete *felo de se*. For intending to establish three departments, co-ordinate and independent, that they might check and balance one another, it has given, according to this opinion, to one of them alone, the right to prescribe rules for the government of the others, and to that one too, which is unelected by, and independent of the nation. For experience has already shown that the impeachment it has provided is not even a scare-crow; that such opinions as the one you combat, sent cautiously out, as you observe also, by detachment, not belonging to the case often, but sought for out of it, as if to rally the public opinion beforehand to their views, and to indicate the line they are to walk in, have been so quietly passed over as never to have excited animadversion, even in a speech of any one of the body entrusted with impeachment. The constitution, on this hypothesis, is a mere thing of wax in the hands of the judiciary, which they may twist and shape into any form they please. It should be remembered, as an axiom of eternal truth in politics, that whatever power in any government is independent, is absolute also; in theory only, at first, while the spirit of the people is up, but in practice, as fast as that relaxes. Independence can be trusted no where but with the people in mass. They are inherently independent of all but moral law."

TENDENCIES TO CONSOLIDATION, AND MODE OF RESISTANCE.
—"I see as you do, and with the deepest affliction, the rapid strides with which the federal branch of our government is advancing towards the usurpation of all the rights reserved to the States, and the consolidation in itself of all powers, foreign and domestic; and that too, by constructions which, if legitimate, leave no limits to their power. Take together the decisions of the federal court, the doctrines of the President, [1825] and the misconstructions of the constitutional compact acted on by the legislature of the federal branch, and it is but too evident, that the three ruling branches of that department are in combination to strip their colleagues, the State authorities, of the powers reserved by them, and to exercise themselves all functions, foreign and domestic. Under the power to regulate commerce, they assume indefinitely that also over agriculture and manufactures, and call it regulation to take the earnings of one of these branches of industry, and that too the most depressed, and put them into the pockets of the other, the most flourishing of all. Under the authority to

establish post roads, they claim that of cutting down mountains for the construction of roads, of digging canals, and aided by a little sophistry on the words 'general welfare,' a right to do, not only the acts to effect that, which are specifically enumerated and permitted, but whatsoever they shall think or pretend will be for the general welfare. And what is our resource for the preservation of the constitution? Reason and argument? You might as well reason and argue with the marble columns encircling them. The representatives chosen by ourselves? They are joined in the combination, some from incorrect views of government, some from corrupt ones, sufficient, voting together, to outnumber the sound parts; and with majorities only of one, two, or three, bold enough to go forward in defiance. Are we then *to stand to our arms*, with the hot-headed Georgian? No. That must be the last resource, not to be thought of until much longer and greater sufferings. If every infraction of a compact of so many parties is to be resisted at once, as a dissolution of it, none can ever be formed which would last one year. We must have patience and longer endurance than with our brethren while under delusion; give them time for reflection and experience of consequences; keep ourselves in a situation to profit by the chapter of accidents; and separate from our companions only when the sole alternatives left, are the dissolution of our Union with them, or submission to a government without limitation of powers. Between these two evils, when we must make a choice, there can be no hesitation. But in the mean while, the States would be watchful to note every material usurpation on their rights; to denounce them as they occur in the most peremptory terms; to protest against them as wrongs to which our present submission shall be considered, not as acknowledgments or precedents of right, but as a temporary yielding to the lesser evil, until their accumulation shall outweigh that of separation. I would go still further, and give to the federal member, by a regular amendment of the constitution, a right to make roads and canals of intercommunication between the States, providing sufficiently against corrupt practices in Congress, (log-rolling, &c.) by declaring that the federal proportion of each State of the monies so employed, shall be in works within the State, or elsewhere with its consent, and with a due *salvo* of jurisdiction. This is the course which I think safest and best as yet."

INTERNAL IMPROVEMENT, CONSTRUCTIVE INTERPRETATIONS, &c.—“You will have learned that an act for internal improvement, after passing both Houses, was negatived by the President [1817.] The act was founded, avowedly, on the principle that the phrase in the constitution, which authorizes Congress ‘to lay taxes, to pay the debts and provide for the general welfare,’ was an extension of the powers specifically enumerated to whatever would promote the gen-

eral welfare : and this, you know, was the federal doctrine. Whereas, our tenet ever was, and, indeed, it is almost the only land-mark which now divides the federalists from the republicans, that Congress had not unlimited powers to provide for the general welfare, but were restrained to those specifically enumerated ; and that, as it was never meant they should provide for that welfare but by the exercise of the enumerated powers, so it could not have been meant they should raise money for purposes which the enumeration did not place under their action : consequently, that the specification of powers is a limitation of the purposes for which they may raise money. I think the passage and rejection of this bill a fortunate incident. Every State will certainly concede the power ; and this will be a national confirmation of the grounds of appeal to them, and will settle for ever the meaning of this phrase, which, by a mere grammatical quibble, has countenanced the General government in a claim of universal power."

"I have for some time considered the question of internal improvement as desperate. The torrent of general opinion sets so strongly in favor of it as to be irresistible. And I suppose that even the opposition in Congress will hereafter be feeble and formal, unless something can be done which may give a gleam of encouragement to our friends, or alarm their opponents in their fancied security. I learn from Richmond, that those who think with us there, are in a state of perfect dismay, not knowing what to do, or what to propose. Mr. Gordon, our representative, particularly, has written to me in very desponding terms, not disposed to yield, indeed, but pressing for opinions and advice on the subject. I have no doubt you are pressed in the same way, and I hope you have devised and recommended something to them. If you have, stop here and read no more, but consider all that follows as *non avenue*. I shall be better satisfied to adopt implicitly any thing which you may have advised, than any thing occurring to myself. For I have long ceased to think on subjects of this kind, and pay little attention to public proceedings. But if you have done nothing in it, then I risk for your consideration what has occurred to me, and is expressed in the enclosed paper. Bailey's propositions, which came to hand since I wrote the paper, and which I suppose to have come from the President himself, show a little hesitation in the purposes of his party: and in that state of mind, a bolt shot critically may decide the contest, by its effect on the less bold. The olive-branch held out to them at this moment may be accepted, and the constitution thus saved at a moderate sacrifice. I say nothing of the paper, which will explain itself. The following heads of consideration, or some of them, may weigh in its favor : It may intimidate the wavering. It may break the western coalition, by offering the same thing in a different form. It will be viewed with favor in contrast with the Georgia opposition and fear of strengthening that. It will be an

example of a temperate mode of opposition in future and similar cases. It will delay the measure a year at least. It will give us the chance of better times and of intervening accidents ; and in no way place us in a worse than our present situation. I do not dwell on these topics ; your mind will develop them.”*

DOMESTIC MANUFACTURES.—“ I have now thirty-five spindles a going, a hand carding-machine, and looms with the flying shuttle, for the supply of my own farms, which will never be relinquished in my time. The continuance of the war will fix the habit generally, and out of the evils of impressment and of the orders of council, a great blessing for us will grow. I have not formerly been an advocate for great manufactories. I doubted whether our labor, employed in agriculture, and aided by the spontaneous energies of the earth, would not procure us more than we could make ourselves of other necessities. But other considerations entering into the question, have settled my doubts.”

“ You tell me I am quoted by those who wish to continue our dependence on England for manufactures. There was a time when I might have been so quoted with more candor. But within the thirty years which have since elapsed, how are circumstances changed ! We were then in peace ; our independent place among nations was acknowledged. A commerce which offered the raw material, in exchange for the same material after receiving the last touch of industry, was worthy of welcome to all nations. It was expected, that those especially to whom manufacturing industry was important, would cherish the friendship of such customers by every favor, and particularly cultivate their peace by every act of justice and friendship. Under this prospect, the question seemed legitimate, whether, with such an immensity of unimproved land, courting the hand of husbandry, the industry of agriculture, or that of manufactures, would add most to the national wealth. And the doubt on the utility of the American manufactures was entertained on this consideration, chiefly, that to the labor of the husbandman a vast addition is made by the spontaneous energies of the earth on which it is employed. For one grain of wheat committed to the earth, she renders twenty, thirty, and even fifty fold ; whereas to the labor of the manufacturer nothing is added. Pounds of flax, in his hands, on the contrary, yield but penny weights of lace. This exchange, too, laborious as it might seem, what a field did it promise for the occupation of the ocean ; what a nursery for that class of

* Appended to the above letter, is a luminous and powerful instrument, intended to be submitted to the Legislature of Virginia for their adoption, entitled, “ The Solemn Declaration and Protest of the Commonwealth of Virginia, on the Principles of the Constitution of the United States of America, and on the Violations of them.” The mode of redress recommended was equally opposed to “ nullification,” and to passive acquiescence.

citizens who were to exercise and maintain our equal rights on that element ! This was the state of things in 1785, when the Notes on Virginia were first published ; when, the ocean being open to all nations, and their common right in it acknowledged and exercised under regulations sanctioned by the assent and usage of all, it was thought that the doubt might claim some consideration.

“ But who, in 1785, could foresee the rapid depravity which was to render the close of that century a disgrace to the history of man ? Who could have imagined that the two most distinguished in the rank of nations, for science and civilization, would have suddenly descended from that honorable eminence, and setting at defiance all those moral laws established by the Author of Nature between nation and nation, as between man and man, would cover earth and sea with robberies and piracies, merely because strong enough to do it with temporal impunity, and that under this disbandment of nations from social order, we should have been despoiled of a thousand ships, and have thousands of our citizens reduced to Algerine slavery. Yet all this has taken place. The British interdicted to our vessels all harbors of the globe, without having first proceeded to some one of hers, there paid a tribute proportioned to the cargo, and obtained her license to proceed to the port of destination. The French declared them to be lawful prize if they had touched at the port, or been visited by a ship of the enemy nation. Thus were we completely excluded from the ocean. Compare this state of things with that of '85, and say whether an opinion founded in the circumstances of that day, can be fairly applied to those of the present. We have experienced, what we did not then believe, that there exist both profligacy and power enough to exclude us from the field of interchange with other nations. That to be independent for the comforts of life, we must fabricate them ourselves. We must now place the manufacturer by the side of the agriculturalist. The former question is suppressed, or rather assumes a new form. The grand inquiry now is, Shall we make our own comforts, or go without them at the will of a foreign nation ? He, therefore, who is now against domestic manufacture, must be for reducing us either to dependence on that foreign nation, or to be clothed in skins, and to live like wild beasts in dens and caverns. I am not one of these. Experience has taught me that manufactures are now as necessary to our independence as to our comfort ; and if those who quote me as of a different opinion, will keep pace with me in purchasing nothing foreign, where an equivalent of domestic fabric can be obtained, without regard to difference of price, it will not be our fault if we do not soon have a supply at home equal to our demand, and wrest that weapon of distress from the hand which has so long wantonly wielded it. If it shall be proposed to go beyond our own supply, the question of '85 will then recur, Will our *surplus* labor be then more beneficially employed, in the culture of the earth, or in

the fabrications of art ? We have time yet for consideration, before that question will press upon us ; and the axiom to be applied will depend on the circumstances which shall then exist. For in so complicated a science as political economy, no one axiom can be laid down as wise and expedient for all times and circumstances. Inattention to this is what has called for this explanation, which reflection would have rendered unnecessary with the candid, while nothing will do it with those who use the former opinion only as a stalking-horse to cover their disloyal propensities to keep us in eternal vassalage to a foreign and unfriendly people."

LABORING CLASSES, AGRICULTURE.—" These circumstances have long since produced an overcharge in the class of competitors for learned occupation, and great distress among the supernumerary candidates ; and the more, as their habits of life have disqualified them for re-entering into the laborious class. The evil cannot be suddenly, nor perhaps ever entirely cured : nor should I presume to say by what means it may be cured. Doubtless there are many engines which the nation might bring to bear on this object. Public opinion and public encouragement are among these. The class principally defective is that of agriculture. It is the first in utility, and ought to be the first in respect. The same artificial means which have been used to produce a competition in learning, may be equally successful in restoring agriculture to its primary dignity in the eyes of men. It is a science of the very first order. It counts among its handmaids the most respectable sciences, such as Chemistry, Natural Philosophy, Mechanics, Mathematics generally, Natural History, Botany. In every College and University, a professorship of agriculture, and the class of its students, might be honored as the first. Young men closing their academical education with this, as the crown of all other sciences, fascinated with its solid charms, and at a time when they are to choose an occupation, instead of crowding the other classes, would return to the farms of their fathers, their own, or those of others, and replenish and invigorate a calling, now languishing under contempt and oppression. The charitable schools, instead of storing their pupils with a lore which the present state of society does not call for, converted into schools of agriculture, might restore them to that branch, qualified to enrich and honor themselves, and to increase the productions of the nation instead of consuming them. A gradual abolition of the useless offices, so much accumulated in all governments, might close this drain also from the labors of the field, and lessen the burthens imposed on them. By these, and the better means which will occur to others, the surcharge of the learned, might in time be drawn off to recruit the laboring class of citizens, the sum of industry be increased, and that of misery diminished."

NATIONAL BANK.—" From a passage in the letter of the President, I observe an idea of establishing a branch bank of the United

States in New Orleans. This institution is one of the most deadly hostility existing, against the principles and form of our constitution. The nation is, at this time, so strong and united in its sentiments, that it cannot be shaken at this moment. But suppose a series of untoward events should occur, sufficient to bring into doubt the competency of a republican government to meet a crisis of great danger, or to unhinge the confidence of the people in the public functionaries ; an institution like this, penetrating by its branches every part of the Union, acting by command and in phalanx, may, in a critical moment, upset the government. I deem no government safe which is under the vassalage of any self-constituted authorities, or any other authority than that of the nation, or its regular functionaries. What an obstruction could not this bank of the United States, with all its branch banks, be in time of war ? It might dictate to us the peace we should accept, or withdraw its aids. Ought we then to give further growth to an institution so powerful, so hostile ? That it is so hostile we know, 1. from a knowledge of the principles of the persons composing the body of directors in every bank, principal or branch ; and those of most of the stock-holders : 2. from their opposition to the measures and principles of the government, and to the election of those friendly to them : and, 3, from the sentiments of the newspapers they support. Now, while we are strong, it is the greatest duty we owe to the safety of our constitution, to bring this powerful enemy to a perfect subordination under its authorities. The first measure would be to reduce them to an equal footing only with other banks, as to the favors of the government. But, in order to be able to meet a general combination of the banks against us, in a critical emergency, could we not make a beginning towards an independent use of our own money, towards holding our own bank in all the deposits where it is received, and letting the Treasurer give his draft or note for payment at any particular place, which, in a well conducted government, ought to have as much credit as any private draft, or bank note, or bill, and would give us the same facilities which we derive from the banks ? I pray you to turn this subject in your mind, and give it the benefit of your knowledge of details ; whereas, I have only very general views of the subject."

POLITICAL PARTIES.—"I know too well the weakness and uncertainty of human reason, to wonder at its different results. Both of our political parties, at least the honest part of them, agree conscientiously in the same object, the public good : but they differ essentially in what they deem the means of promoting that good. One side believes it best done by one composition of the governing powers ; the other, by a different one. One fears most the ignorance of the people ; the other, the selfishness of rulers independent of them. Which is right, time and experience will prove. We think that one side of this experiment has been long enough tried,

and proved not to promote the good of the many : and that the other has not been fairly and sufficiently tried. Our opponents think the reverse. With whichever opinion the body of the nation concurs, that must prevail. My anxieties on this subject will never carry me beyond the use of fair and honorable means of truth and reason ; nor have they ever lessened my esteem for moral worth, nor alienated my affections from a single friend, who did not first withdraw himself. Wherever this has happened, I confess I have not been insensible to it : yet have ever kept myself open to a return of their justice."

" I learn from that with great pleasure, that you have resolved on continuing your history of parties. Our opponents are far ahead of us in preparations for placing their cause favorably before posterity. Yet I hope even from some of them the escape of precious truths, in angry explosions or effusions of vanity, which will betray the genuine monarchism of their principles. They do not themselves believe what they endeavor to inculcate, that we were an opposition party, not on principle, but merely seeking for office. The fact is, that at the formation of our government, many had formed their political opinions on European writings and practices, believing the experience of old countries, and especially of England, abusive as it was, to be a safer guide than mere theory. The doctrines of Europe were, that men in numerous associations cannot be restrained within the limits of order and justice, but by forces physical and moral, wielded over them by authorities independent of their will. Hence their organization of kings, hereditary nobles, and priests. Still further to constrain the brute force of the people, they deem it necessary to keep them down by hard labor, poverty, and ignorance, and to take from them, as from bees, so much of their earnings, as that unremitting labor shall be necessary to obtain a sufficient surplus barely to sustain a scanty and miserable life. And these earnings they apply to maintain their privileged orders in splendor and idleness, to fascinate the eyes of the people, and excite in them an humble adoration and submission, as to an order of superior beings. Although few among us had gone all these lengths of opinion, yet many had advanced, some more, some less, on the way. And in the convention which formed our government, they endeavored to draw the cords of power as tight as they could obtain them, to lessen the dependence of the general functionaries on their constituents, to subject to them those of the States, and to weaken their means of maintaining the steady equilibrium which the majority of the convention had deemed salutary for both branches, general and local. To recover, therefore, in practice, the powers which the nation had refused, and to warp to their own wishes those actually given, was the steady object of the federal party. Ours, on the contrary, was to maintain the will of the majority of the convention, and of the people themselves. We believed, with them, that man

was a rational animal, endowed by nature with rights, and with an innate sense of justice ; and that he could be restrained from wrong and protected in right, by moderate powers, confided to persons of his own choice, and held to their duties by dependence on his own will. We believed that the complicated organization of kings, nobles, and priests, was not the wisest nor best to effect the happiness of associated man ; that wisdom and virtue were not hereditary ; that the trappings of such a machinery consumed, by their expense, those earnings of industry they were meant to protect, and, by the inequalities they produced, exposed liberty to sufferance. We believed that men, enjoying in ease and security the full fruits of their own industry, enlisted by all their interests on the side of law and order, habituated to think for themselves, and to follow their reason as their guide, would be more easily and safely governed, than with minds nourished in error, and vitiated and debased, as in Europe, by ignorance, indigence, and oppression. The cherishment of the people then was our principle, the fear and distrust of them, that of the other party. Composed, as we were, of the landed and laboring interests of the country, we could not be less anxious for a government of law and order than were the inhabitants of the cities, the strong holds of federalism. And whether our efforts to save the principles and form of our constitution have not been salutary, let the present republican freedom, order, and prosperity of our country determine. History may distort truth, and will distort it for a time, by the supericr efforts at justification of those who are conscious of needing it most. Nor will the opening scenes of our present government be seen in their true aspect, until the letters of the day, now held in private hoards, shall be broken up and laid open to public view. What a treasure will be found in General Washington's cabinet, when it shall pass into the hands of as candid a friend to truth as he was himself ! When no longer, like Cæsar's notes and memorandums in the hands of Anthony, it shall be open to the high priests of federalism only, and garbled to say so much, and no more, as suits their views !"

"The Hartford Convention, the victory of Orleans, the peace of Ghent, prostrated the name of federalism. Its votaries abandoned it through shame and mortification ; and now call themselves republicans. But the name alone is changed, the principles are the same. For in truth, the parties of Whig and Tory are those of nature. They exist in all countries, whether called by these names, or by those of Aristocrats and Democrats, *Cote Droite* and *Cote Gauche*, Ultras and Radicals, Serviles and Liberals. The sickly, weakly, timid man, fears the people, and is a tory by nature. The healthy, strong, and bold, cherishes them, and is formed a whig by nature. On the eclipse of federalism with us, although not its extinction, its leaders got up the Missouri question, under the false front of lessening the measure of slavery, but with the real view of

producing a geographical division of parties, which might insure them the next President. The people of the north went blindfold into the snare, followed their leaders for a while with a zeal truly moral and laudable, until they became sensible that they were injuring instead of aiding the real interests of the slaves, that they had been used merely as tools for electioneering purposes ; and that trick of hypocrisy then fell as quickly as it had been got up. To that is now succeeding a distinction, which, like that of republican and federal, or whig and tory, being equally intermixed through every State, threatens none of those geographical schisms which go immediately to a separation. The line of division now is the preservation of State rights as reserved in the constitution, or by strained constructions of that instrument, to merge all into a consolidated government. The tories are for strengthening the executive and General government ; the whigs cherish the representative branch, and the rights reserved by the States, as the bulwark against consolidation, which must immediately generate monarchy."

SOVEREIGNS OF EUROPE.—"When I observed, however, that the King of England was a cipher, I did not mean to confine the observation to the mere individual now on that throne. The practice of Kings marrying only into the families of Kings, has been that of Europe for some centuries. Now, take any race of animals, confine them in idleness and inaction, whether in a sty, a stable, or a state-room, pamper them with high diet, gratify all their sexual appetites, immerse them in sensualities, nourish their passions, let every thing bend before them, and banish whatever might lead them to think, and in a few generations they become all body, and no mind : and this, too, by a law of nature, by that very law by which we are in the constant practice of changing the characters and propensities of the animals we raise for our own purposes. Such is the regimen in raising Kings, and in this way they have gone on for centuries. While in Europe, I often amused myself with contemplating the characters of the then reigning sovereigns of Europe. Louis the XVI. was a fool, of my own knowledge, and in despite of the answers made for him at his trial. The King of Spain was a fool, and of Naples the same. They passed their lives in hunting, and despatched two couriers a week, one thousand miles, to let each other know what game they had killed the preceding days. The King of Sardinia was a fool. All these were Bourbons. The Queen of Portugal, a Braganza, was an idiot by nature. And so was the King of Denmark. Their sons, as regents, exercised the powers of government. The King of Prussia, successor to the great Frederick, was a mere hog in body as well as in mind. Gustavus of Sweden, and Joseph of Austria, were really crazy, and George of England you know was in a straight waistcoat. There remained, then, none but old Catharine, who had been too lately picked up to have lost her common sense. In this state Bonaparte found

Europe ; and it was this state of its rulers which lost it with scarce a struggle. These animals had become without mind and powerless ; and so will every hereditary monarch be after a few generations. Alexander, the grandson of Catherine, is as yet an exception. He is able to hold his own. But he is only of the third generation. His race is not yet worn out. And so endeth the book of Kings, from all of whom the Lord deliver us, and have you, my friend, and all such good men and true, in his holy keeping."

PORTRAITURE OF WASHINGTON.—" You say that in taking General Washington on your shoulders, to bear him harmless through the federal coalition, you encounter a perilous topic. I do not think so. You have given the genuine history of the course of his mind through the trying scenes in which it was engaged, and of the seductions by which it was deceived, but not depraved. I think I knew General Washington intimately and thoroughly ; and were I called on to delineate his character, it should be in terms like these.

" His mind was great and powerful, without being of the very first order ; his penetration strong, though not so acute as that of a Newton, Bacon, or Locke ; and as far as he saw, no judgment was ever sounder. It was slow in operation, being little aided by invention or imagination, but sure in conclusion. Hence the common remark of his officers, of the advantage he derived from councils of war, where, hearing all suggestions, he selected whatever was best ; and certainly no General ever planned his battles more judiciously. But if deranged during the course of the action, if any member of his plan was dislocated by sudden circumstances, he was slow in a re-adjustment. The consequence was, that he often failed in the field, and rarely against an enemy in station, as at Boston and York. He was incapable of fear, meeting personal dangers with the calmest unconcern. Perhaps the strongest feature in his character was prudence, never acting until every circumstance, every consideration, was maturely weighed ; refraining if he saw a doubt, but, when once decided, going through with his purpose, whatever obstacles opposed. His integrity was most pure, his justice the most inflexible I have ever known, no motives of interest or consanguinity, of friendship or hatred, being able to bias his decision. He was, indeed, in every sense of the words, a wise, a good, and a great man. His temper was naturally irritable and high-toned ; but reflection and resolution had obtained a firm and habitual ascendancy over it. If ever, however, it broke its bonds, he was most tremendous in his wrath. In his expenses he was honorable, but exact ; liberal in contributions to whatever promised utility ; but frowning and unyielding on all visionary projects, and all unworthy calls on his charity. His heart was not warm in its affections ; but he exactly calculated every man's value, and gave him a solid esteem

proportioned to it. His person, you know, was fine, his stature exactly what one would wish, his deportment easy, erect, and noble ; the best horseman of his age, and the most graceful figure that could be seen on horseback. Although in the circle of his friends, where he might be unreserved with safety, he took a free share in conversation, his colloquial talents were not above mediocrity, possessing neither copiousness of ideas, nor fluency of words. In public, when called on for a sudden opinion, he was unready, short, and embarrassed. Yet he wrote readily, rather diffusely, in an easy and correct style. This he had acquired by conversation with the world, for his education was merely reading, writing, and common arithmetic, to which he added surveying at a later day. His time was employed in action chiefly, reading little, and that only in agriculture and English history. His correspondence became necessarily extensive, and, with journalizing his agricultural proceedings, occupied most of his leisure hours within doors. On the whole, his character was, in its mass, perfect, in nothing bad, in few points indifferent ; and it may truly be said, that never did nature and fortune combine more perfectly to make a man great, and to place him in the same constellation with whatever worthies have merited from man an everlasting remembrance. For his was the singular destiny and merit, of leading the armies of his country successfully through an arduous war, for the establishment of its independence : of conducting its councils through the birth of a government, new in its forms and principles, until it had settled down into a quiet and orderly train : and of scrupulously obeying the laws through the whole of his career, civil and military, of which the history of the world furnishes no other example.

"How, then, can it be perilous for you to take such a man on your shoulders ? I am satisfied the great body of republicans think of him as I do. We were, indeed, dissatisfied with him on his ratification of the British treaty. But this was short-lived. We knew his honesty, the wiles with which he was encompassed, and that age had already begun to relax the firmness of his purposes ; and I am convinced he is more deeply seated in the love and gratitude of the republicans, than in the Pharisaical homage of the federal monarchists. For he was so momentous from preference of his judgment. The soundness of that gave him correct views of the rights of man, and his severe justice devoted him to them. He has often declared to me that he considered our new constitution as an experiment on the practicability of republican government, and with what dose of liberty men could be trusted for his own good : that he was determined the experiment should have a fair trial, and would use the last drop of his blood in support of it. * I felt on his death with my countrymen, that 'verily a great man hath fallen this day in Israel.'

PROGRESSIVE IMPROVEMENT, POPULAR RIGHTS.—“Some men look at constitutions with sanctimonious reverence, and deem them, like the ark of the covenant, too sacred to be touched. They ascribe to the men of the preceding age a wisdom more than human, and suppose what they did to be beyond amendment. I knew that age well: I belonged to it, and labored with it. It deserved well of its country. It was very like the present, but without the experience of the present; and forty years of experience in government is worth a century of book-reading; and this they would say themselves, were they to rise from the dead. I am certainly not an advocate for frequent and untried changes in laws and constitutions. I think moderate imperfections had better be borne with; because, when once known, we accommodate ourselves to them, and find practical means of correcting their ill effects. But I know, also, that laws and institutions must go hand in hand with the progress of the human mind. As that becomes more developed, more enlightened, as new discoveries are made, new truths disclosed, and manners and opinions change with the change of circumstances, institutions must advance also, and keep pace with the times. We might as well require a man to wear still the coat which fitted him when a boy, as civilized society to remain ever under the regimen of their barbarous ancestors. It is this preposterous idea which has lately deluged Europe in blood. Their monarchs, instead of wisely yielding to the gradual changes of circumstances, of favoring progressive accommodation to progressive improvement, have clung to old abuses, entrenched themselves behind steady habits, and obliged their subjects to seek through blood and violence, rash and ruinous innovations, which, had they been referred to the peaceful deliberations and collected wisdom of the nation, would have been put into acceptable and salutary forms. Let us follow no such examples. nor weakly believe that one generation is not as capable as another of taking care of itself, and of ordering its own affairs. Let us, as our sister States have done, avail ourselves of our reason and experience, to correct the crude essays of our first and unexperienced, although wise, virtuous, and well-meaning councils. And, lastly, let us provide in our constitution for its revision at stated periods. What these periods should be, nature herself indicates. By the European tables of mortality, of the adults living at any one moment of time, a majority will be dead in about nineteen years. At the end of that period, then, a new majority is come into place; or, in other words, a new generation. Each generation is as independent of the one preceding, as that was of all which had gone before. It has, then, like them, a right to choose for itself the form of government it believes most promotive of its own happiness; consequently, to accommodate to the circumstances in which it finds itself, that received from its predecessors: and it is for the peace and good of mankind, that a solemn opportunity of doing this every nineteen

or twenty years, should be provided by the constitution ; so that it may be handed on, with periodical repairs, from generation to generation, to the end of time, if any thing human can so long endure. It is now forty years since the constitution of Virginia was formed. The same tables inform us, that, within that period, two thirds of the adults then living are now dead. Have then the remaining third, even if they had the wish, the right to hold in obedience to their will, and to laws heretofore made by them, the other two thirds, who, with themselves, compose the present mass of adults ? If they have not, who has ? The dead ? But the dead have no rights. They are nothing ; and nothing cannot own something. Where there is no substance, there can be no accident. This corporeal globe, and every thing upon it, belong to its present corporeal inhabitants, during their generation. They alone have a right to direct what is the concern of themselves alone, and to declare the law of that direction : and this declaration can only be made by their majority. That majority, then, has a right to depute representatives to a convention, and to make the constitution what they think will be best for themselves. * * * If this avenue be shut to the call of sufferance, it will make itself heard through that of force, and we shall go on, as other nations are doing, in the endless circle of oppression, rebellion, reformation : and oppression, rebellion, reformation, again ; and so on, for ever."

MISSOURI QUESTION.—" I had for a long time ceased to read newspapers, or pay any attention to public affairs, confident they were in good hands, and content to be a passenger in our bark to the shore from which I am not distant. But this momentous question, like a fire-bell in the night, awakened and filled me with terror. I considered it at once as the knell of the Union. It is hushed, indeed, for the moment. But this is a reprieve only, not a final sentence. A geographical line, coinciding with a marked principle, moral and political, once conceived and held up to the angry passions of men, will never be obliterated ; and every new irritation will mark it deeper and deeper. I can say, with conscious truth, that there is not a man on earth who would sacrifice more than I would to relieve us from this heavy reproach, in any *practicable* way. The cession of that kind of property (for so it is misnamed) is a bagatelle which would not cost me a second thought, if, in that way, a general emancipation and *expatriation* could be effected : and, gradually, and with due sacrifices, I think it might be. But as it is, we have the wolf by the ears, and we can neither hold him, nor safely let him go. Justice is in one scale, and self-preservation in the other. Of one thing I am certain, that as the passage of slaves from one State to another, would not make a slave of a single human being who would not be so without it, so their diffusion over a greater surface would make them individually happier, and proportionally facilitate the accomplishment of their emancipation, by divid-

ing the burthen on a greater number of coadjutors. An abstinence, too, from this act of power, would remove the jealousy excited by the undertaking of Congress to regulate the condition of the different descriptions of men composing a State. This certainly is the exclusive right of every State, which nothing in the constitution has taken from them, and given to the General government. Could Congress, for example, say, that the non-freemen of Connecticut shall be freemen, or that they shall not emigrate into any other State?

“ I regret that I am now to die in the belief, that the useless sacrifice of themselves by the generation of 1776, to acquire self-government and happiness to their country, is to be thrown away by the unwise and unworthy passions of their sons, and that my only consolation is to be, that I live not to weep over it. If they would but dispassionately weigh the blessings they will throw away, against an abstract principle more likely to be effected by union than by scission, they would pause before they would perpetrate this act of suicide on themselves, and of treason against the hopes of the world. To yourself, as the faithful advocate of the Union, I tender the offering of my high esteem and respect.”

ON THE EXISTENCE OF A SUPREME BEING.—“ I think that every Christian sect gives a great handle to atheism by their general dogma, that, without a revelation, there would not be sufficient proof of the being of a God. Now one sixth of mankind only are supposed to be Christians: the other five sixths then, who do not believe in the Jewish and Christian revelation, are without a knowledge of the existence of a God! This gives completely a *gain de cause* to the disciples of Ocellus, Timæus, Spinoza, Diderot, and D'Holbach. The argument which they rest on as triumphant and unanswerable is, that in every hypothesis of cosmogony, you must admit an eternal pre-existence of something; and according to the rule of sound philosophy, you are never to employ two principles to solve a difficulty when one will suffice. They say then, that it is more simple to believe at once in the eternal pre-existence of the world, as it is now going on, and may for ever go on by the principle of reproduction which we see and witness, than to believe in the eternal pre-existence of an ulterior cause, or creator of the world, a being whom we see not and know not, of whose form, substance, and mode, or place of existence, or of action, no sense informs us, no power of the mind enables us to delineate or comprehend. On the contrary, I hold (without appeal to revelation,) that when we take a view of the universe, in its parts, general or particular, it is impossible for the human mind not to perceive and feel a conviction of design, consummate skill, and indefinite power in every atom of its composition. The movements of the heavenly bodies, so exactly held in their course by the balance of centrifugal and centripetal

forces ; the structure of our earth itself, with its distribution of lands, waters, and atmosphere ; animal and vegetable bodies, examined in all their minutest particles ; insects, mere atoms of life, yet as perfectly organized as man or mammoth ; the mineral substances, their generation and uses ; it is impossible, I say, for the human mind not to believe, that there is in all this, design, cause, and effect, up to an ultimate cause, a fabricator of all things from matter and motion, their preserver and regulator while permitted to exist in their present forms, and their regenerator into new and other forms. We see, too, evident proofs of the necessity of a superintending power, to maintain the universe in its course and order. Stars, well known, have disappeared, new ones have come into view ; comets, in their incalculable courses, may run foul of suns and planets, and require renovation under other laws ; certain races of animals are become extinct ; and were there no restoring power, all existences might extinguish successively, one by one, until all should be reduced to a shapeless chaos. So irresistible are these evidences of an intelligent and powerful agent, that, of the infinite numbers of men who have existed through all time, they have believed, in the proportion of a million at least to a unit, in the hypothesis of an eternal pre-existence of a creator, rather than in that of a self-existent universe. Surely this unanimous sentiment renders this more probable, than that of the few in the other hypothesis. Some early Christians, indeed, have believed in the co-eternal pre-existence of both the creator and the world, without changing their relation of cause and effect."

RELIGIOUS.—"The result of your fifty or sixty years of religious reading in the four words, 'Be just and good,' is that in which all our inquiries must end ; as the riddles of all the priesthoods end in four more, '*Ubi panis, ibi deus.*' What all agree in, is probably right, what no two agree in, most probably wrong. One of our fan-coloring biographers, who paints small men as very great, inquired of me lately, with real affection too, whether he might consider as authentic, the change in my religion much spoken of in some circles. Now this supposed that they knew what had been my religion before, taking for it the word of their priests, whom I certainly never made the confidants of my creed. My answer was, 'Say nothing of my religion. It is known to my God and myself alone. Its evidence before the world is to be sought in my life ; if that has been *honest and dutiful to society*, the religion which has regulated it cannot be a bad one.'

"Your recommendations are always welcome, for, indeed, the subjects of them always merit that welcome, and some of them in an extraordinary degree. They make us acquainted with what there is excellent in our ancient sister State of Massachusetts, once venerated and beloved, and still hanging on our hopes, for what need

we despair of after the resurrection of Connecticut to light and liberality. I had believed that the last retreat of monkish darkness, bigotry, and abhorrence of those advances of the mind which had carried the other States a century ahead of them. They seemed still to be exactly where their forefathers were when they schismatized from the covenant of works and to consider as dangerous heresies all innovations good or bad. I join you, therefore, in sincere congratulations that this den of the priesthood is at length broken up, and that a Protestant Popedom is no longer to disgrace the American history and character. If by *religion*, we are to understand *sectarian dogmas*, in which no two of them agree, then your exclamation on that hypothesis is just, 'that this would be the best of all possible worlds, if there were no religion in it.' But if the moral precepts, innate in man, and made a part of his physical constitution, as necessary for a social being, if the sublime doctrines of philanthropism and deism taught us by Jesus of Nazareth, in which all agree, constitute true religion, then, without it, this would be, as you again say, 'something not fit to be named, even indeed, a hell.'

"I believe that he who observes the moral precepts, in which all religions concur, will never be questioned at the gates of heaven, as to the dogmas in which all differ; that, on entering there, the Aristides and Catos, the Penns and Tillotsons, Presbyterians and Baptists, will find themselves united in all the principles which are in concert with the Supreme mind. Of all the systems of morality, ancient and modern, which have come under my observation, none appears to me as pure as that of Jesus."

ON THE LOSS OF FRIENDS.—When you and I look back on the country over which we have passed, what a field of slaughter does it exhibit. Where are all the friends who entered it with us, under all the inspiring energies of health and hope? As if pursued by the havoc of war, they are strewn by the way, some earlier, some later, and scarce a few stragglers remain to count the numbers fallen, and to mark yet, by their own fall, the last footsteps of their party. Is it a desirable thing to bear up through the heat of the action to witness the death of all our companions, and merely be the last victim? I doubt it. We have, however, the traveller's consolation. Every step shortens the distance we have to go; the end of our journey is in sight, the bed wherein we are to rest, and to rise in the midst of the friends we have lost. 'We sorrow not, then, as others who have no hope'; but look forward to the day which 'joins us to the great majority.' But whatever is to be our destiny, wisdom, as well as duty, dictates that we should acquiesce in the will of Him whose it is to give and take away, and be contented in the enjoyment of those who are still permitted to be with us. Of those connected by blood, the number does not depend on us. But friends we have, if we have

merited them. Those of our earliest years stand nearest in our affections. But in this too, you and I have been unlucky. Of our college friends (and they are the dearest) how few have stood with us in the great political questions which have agitated our country ; and these were of a nature to justify agitation. I did not believe the Lilliputian fetters of that day strong enough to have bound so many."

ADVICE ON THE STUDIES OF YOUNG MEN.—"Moral Philosophy. I think it lost time to attend lectures on this branch. He who made us would have been a pitiful bungler, if he had made the rules of our moral conduct a matter of science. For one man of science, there are thousands who are not. What would have become of them? Man was destined for society. His morality, therefore, was to be formed to this object. He was endowed with a sense of right and wrong, merely relative to this. This sense is as much a part of his nature, as the sense of hearing, seeing, feeling ; it is the true foundation of morality, and not the *to kalon*, truth, &c., as fanciful writers have imagined. The moral sense, or conscience, is as much a part of man, as his leg or arm. It is given to all human beings, in a stronger or weaker degree, as force of members is given them in a greater or less degree. It may be strengthened by exercise, as may any particular limb of the body. This sense is submitted, indeed, in some degree, to the guidance of reason ; but it is a small stock which is required for this ; even a less one than what we call common sense. State a moral case to a ploughman and a professor. The former will decide it as well, and often better than the latter, because he has not been led astray by artificial rules. In this branch, therefore, read good books, because they will encourage, as well as direct your feelings. The writings of Sterne, particularly, form the best course of morality that ever was written. Besides these, read the books mentioned in the enclosed paper : and, above all things, lose no occasion of exercising your dispositions to be grateful, to be generous, to be charitable, to be humane, to be true, just, firm, orderly, courageous, &c. Consider every act of this kind, as an exercise which will strengthen your moral faculties, and increase your worth.

"Religion. Your reason is now mature enough to examine this object. In the first place, divest yourself of all bias in favor of novelty and singularity of opinion. Indulge them in any other subject rather than that of religion. It is too important, and the consequences of error may be too serious. On the other hand, shake off all the fears and servile prejudices, under which weak minds are servilely crouched. Fix reason firmly in her seat, and call to her tribunal every fact, every opinion. Question with boldness even the existence of a God ; because, if there be one, he must more approve the homage of reason, than that of blindfolded fear. Do not be frightened from this inquiry by any fear of its

consequences. If it ends in a belief that there is no God, you will find incitements to virtue in the comfort and pleasantness you feel in its exercise, and the love of others which it will procure you. If you find reason to believe there is a God, a consciousness that you are acting under his eye, and that he approves you, will be a vast additional incitement : if that there be a future state, the hope of a happy existence in that, increases the appetite to deserve it : if that Jesus was also a God, you will be comforted by a belief of his aid and love. In fine, I repeat, you must lay aside all prejudice on both sides, and neither believe nor reject any thing, because any other person, or description of persons, have rejected or believed it. Your own reason is the oracle given you by Heaven, and you are answerable not for the rightness, but uprightness of the decision. I forgot to observe, when speaking of the New Testament, that you should read all the histories of Christ, as well of those whom a council of ecclesiastics have decided for us to be Pseudo-evangelists, as those they named Evangelists. Because these Pseudo-evangelists pretended to inspiration as much as the others, and you are to judge their pretensions by your own reason, and not by the reason of those ecclesiastics. Most of these are lost. There are some, however, still extant, collected by Fabricius, which I will endeavor to get and send you.

“ Travelling. This makes men wiser, but less happy. When men of sober age travel, they gather knowledge, which they may apply usefully for their country ; but they are subject ever after to recollections mixed with regret ; their affections are weakened by being extended over more objects ; and they learn new habits, which cannot be gratified when they return home. Young men who travel are exposed to all these inconveniences in a higher degree, to others still more serious, and do not acquire that wisdom for which a previous foundation is requisite, by repeated and just observations at home. The glare of pomp and pleasure is analogous to the motion of the blood ; it absorbs all their affection and attention ; they are torn from it as from the only good in this world, and return to their home as to a place of exile and condemnation. Their eyes are forever turned back to the object they have lost, and its recollection poisons the residue of their lives. Their first and most delicate passions are hackneyed on unworthy objects here, and they carry home the dregs, insufficient to make themselves or any body else happy. Add to this, that a habit of idleness, an inability to apply themselves to business is acquired, and renders them useless to themselves and their country. These observations are founded in experience. There is no place where your pursuit of knowledge will be so little obstructed by foreign objects, as in your own country, nor any, wherein the virtues of the heart will be less exposed to be weakened. Be good, be learned, and be industrious, and you will not want the aid of travelling, to render you precious to your coun-

try, dear to your friends, happy within yourself. I repeat my advice, to take a great deal of exercise and on foot. Health is the first requisite after morality.”*

RULES FOR THE REGULATION OF MORAL CONDUCT.—“This letter will, to you, be as one from the dead. The writer will be in the grave before you can weigh its councils. Your affectionate and excellent father has requested that I would address to you something which might possibly have a favorable influence on the course of life you have to run, and I too, as a namesake, feel an interest in that course. Few words will be necessary, with good dispositions on your part. Adore God. Reverence and cherish your parents. Love your neighbor as yourself, and your country more than yourself. Be just. Be true. Mourn not at the ways of Providence. So shall the life, into which you have entered, be the portal to one of eternal and ineffable bliss. And if to the dead it is permitted to take care for the things of this world, every action of your life will be under my regard. Farewell.”†

“The Portrait of a Good Man, by the most sublime of Poets, for your imitation.

Lord, who's the happy man that may to thy blest courts repair,
Not stranger like to visit them, but to inhabit there?
'Tis he, whose every thought and deed by rules of virtue moves;
Whose generous tongue disdains to speak the thing his heart disproves.
Who never did a slander forge, his neighbor's fame to wound;
Nor hearken to a false report, by malice whispered round.
Who vice, in all its pomp and power, can treat with just neglect;
And piety, though clothed in rags, religiously respect.
Who to his plighted vows and trust has ever firmly stood;
And though he promise to his loss, he makes his promise good.
Whose soul in usury disdains his treasure to employ;
Whom no rewards can ever bribe the guiltless to destroy.
The man, who, by his steady course, has happiness insured,
When earth's foundations shake, shall stand, by Providence secured.”

“A Decalogue of Canons for observation in practical life.

1. Never put off till to-morrow what you can do to-day.
2. Never trouble another for what you can do yourself.
3. Never spend your money before you can have it.
4. Never buy what you do not want, because it is cheap; it will be dear to you.
5. Pride costs us more than hunger, thirst and cold.
6. We never repent of having eaten too little.
7. Nothing is troublesome that we do willingly.
8. How much pain have cost us the evils which have never happened.
9. Take things always by their smooth handle.
10. When angry, count ten before you speak; if very angry, an hun-

* Add. — to Peter Carr.

† To T. Jefferson Smith.

HABITS OF LIVING.—“ Your letter came to hand on the 1st instant ; and the request of the history of my physical habits would have puzzled me not a little, had it not been for the model with which you accompanied it, of Doctor Rush’s answer to a similar inquiry. I live so much like other people, that I might refer to ordinary life as the history of my own. Like my friend the Doctor, I have lived temperately, eating little animal food, and that not as an aliment, so much as a condiment for the vegetables, which constitute my principal diet. I double, however, the Doctor’s glass and a half of wine, and even treble it with a friend ; but halve its effect by drinking the weak wines only. The ardent wines I cannot drink, nor do I use ardent spirits in any form. Malt liquors and cider are my table drinks, and my breakfast, like that also of my friend, is of tea and coffee. I have been blest with organs of digestion, which accept and concoct, without ever murmuring, whatever the palate chooses to consign to them, and I have not yet lost a tooth by age. I was a hard student until I entered on the business of life, the duties of which leave no idle time to those disposed to fulfil them ; and now, retired, and at the age of seventy-six, I am again a hard student. Indeed my fondness for reading and study revolts me from the drudgery of letter-writing. And a stiff wrist, the consequence of an early dislocation, makes writing both slow and painful. I am not so regular in my sleep as the Doctor says he was, devoting to it from five to eight hours, according as my company or the book I am reading interests me ; and I never go to bed without an hour, or a half hour’s previous reading of something moral, whereon to ruminate in the intervals of sleep. But whether I retire to bed early or late, I rise with the sun. I use spectacles at night, but not necessarily in the day, unless in reading small print. My hearing is distinct in particular conversation, but confused when several voices cross each other, which unfits me for the society of the table. I have been more fortunate than my friend in the article of health. So free from catarrhs that I have not had one (in the breast, I mean) on an average of eight or ten years through life. I ascribe this exemption partly to the habit of bathing my feet in cold water every morning for sixty years past. A fever of more than twenty-four hours I have not had above two or three times in my life. A periodical headache has afflicted me occasionally, once, perhaps, in six or eight years, for two or three weeks at a time, which seems now to have left me : and, except on a late occasion of indisposition, I enjoy good health : too feeble, indeed, to walk much, but riding without fatigue six or eight miles a day, and sometimes thirty or forty. I may end these egotisms, therefore, as I began, by saying that my life has been so much like that of other people, that I might say with Horace, to every one, ‘ *Nomine mutato, narratur fabula de te.*’

The limits to which we are confined, are a warning against an extension of the interesting catalogue, or it might be pursued indefinitely, and with unvarying gratification. The cabinet of the illustrious recluse, besides exhibiting a faithful portrait of himself, contains the sublimated wisdom of a long life of wonderful experience and opportunities, accumulated by a mind eminently original and contemplative ; and opens an inexhaustible store of materials for the Historian, the Philosopher, the Moralist, Patriot, Philanthropist, and Statesman. His course of life, while in retirement, was filled with untiring activity, and unrestrainedly indulged in those occupations, which were the master passions of every portion of it, reading, science, correspondence, the cultivation of his farm, the endearments of family, and delights of social intercourse. He carried into his retirement the same neatness and severity of system, which had enabled him to surmount with ease the greatest complication of duties in public life. He rose with the sun. From that time to breakfast, and often until noon, he was in his cabinet, chiefly employed in epistolary correspondence. From breakfast, or noon at latest, to dinner, he was engaged in his work-shops, his garden, or on horseback, among his farms. From dinner to dark, he gave to society and recreation with his neighbors and friends ; and from candle-light to bed-time, he devoted himself to reading and study. Gradually, as he grew older, he became seized with a canine appetite for reading, as he termed it, and he indulged it freely, as promising a relief against the *tedium senectutis*, a ‘lamp to lighten his path through the dreary wilderness of time before him, whose bourne he saw not.’ His reading was of the most substantial kind, chiefly historical and classical ; his studies, philosophical and mathematical. Thucydides, Tacitus, Horace, Newton, and Euclid, were his constant companions. When young, mathematics was the passion of his life. The same passion returned upon him, in his old age, but probably with unequal powers. ‘Processes, he complained, which he could then read off with the facility of common discourse, now cost him labor and time, and slow investigation.’ Yet no one but himself was sensible of any decay in his intellectual energies. He possessed an uncommon health, with a constitutional buoyancy unbroken, and improved by the salubrity of his mountain residence ; and his strength, which was yielding under the weight of years, was considerably re-inforced by the activity of the

the course he pursued. "I talk of ploughs and harrows," he wrote to a friend, "of seeding and harvesting, with my neighbors, and of politics too, if they choose, with as little reserve as the rest of my fellow citizens, and feel, at length, the blessing of being free to say and do what I please, without being responsible for it to any mortal." A part of his occupation, and one in which he took great delight, was the direction of the studies of young men; multitudes of whom resorted to him, as to an Oracle, to imbibe the inspirations of his councils, and listen to the incantations of his genius. They located themselves in the neighboring village of Charlottesville, where they were invited to a free access to his library, enjoyed the benefit of his counsel, participated of his cordial hospitality, and made an interesting part of his daily society. "In advising the course of their reading" said he, "I endeavor to keep their attention fixed on the main objects of all science, the freedom and happiness of man. So that coming to bear a share in the councils and government of their country, they will keep ever in view the sole objects of all legitimate government."

The agricultural operations of Mr. Jefferson were conducted upon an extensive scale, and consequently engaged a great share of his attention, by no means the least pleasantly. The domains at Monticello, including the adjoining estates, contained about eleven thousand acres, of which about fifteen hundred were cleared. In addition to this, he owned a large estate in Bedford county, by right of his wife, from which he raised annually about 40,000 weight of tobacco, and grain sufficient to maintain the plantation. He visited this estate, about seventy miles distant, once every year, which kept him from home six or seven weeks at a time. He had about two hundred negroes on his farms, who required a constant superintendence; more especially, under the peculiar system of agriculture pursued by Mr. Jefferson, of which some notice has heretofore been taken. But his choicest labors, in this department, were bestowed on that delightful and beloved spot, where all his labors were to end, as they had been begun. He had reclaimed its awful ruggedness, when a very young man, and of its wilderness made a garden; and now, in his old age, he returned, with all the enthusiasm of his early efforts, to the further development and improvement of the natural beauties of a site, whose bold and gigantic features, whose far-reaching prospects, whose tranquil and immovable brow

amidst the agitations of the storm below, were eminently in unison with the elements of his character. A more particular description of this celebrated seat may not be unedifying to the majority of readers.

MONTICELLO is derived from the Italian, and announces the owner's attachment, at once, to that beautiful language, and to the fine arts, of which Italy is both the cradle, and the favorite abode. It signifies 'little mountain,'—modest title for a bold and isolated eminence, which rises six hundred feet above the surrounding country, and commands one of the most extensive and variegated prospects in the world. The base of the mountain, which is washed by the Ravanna, exceeds a mile in diameter; and its sides are encompassed by four parallel roads, sweeping round it at equal distances, and so connected with each other by easy ascents, as to afford, when completed, a level carriage-way of almost seven miles. The whole mountain, with the exception of the summit, is covered with a dense and lofty forest. On the top is an elliptic plain, of about ten acres, formed by the hand of art cutting down the apex of the mountain; and, in its richly cultivated aspect, contrasting powerfully with the unreclaimed and wild magnificence of the subjacent world. This extensive artificial level is laid out in a beautiful lawn, broken only by lofty weeping willows, poplars, acacias, catalpas and other trees of foreign growth, distributed at such distances, as not to obstruct the view from the centre in any direction. On the West, stretching away to the North and the South, the prospect is bounded only by the Alleghanies,—a hundred miles distant in some parts,—overreaching all the intervening mountains, commanding a view of the Blue Ridge for a hundred and fifty miles, and looking down upon an enchanting landscape, broad as the eye can compass, of intermingling villages and deserts, forest and cultivation, mountains, vallies, rocks and rivers. On the East is a literal immensity of prospect, bounded only by the rotundity of the Earth, in which nature seems to sleep in eternal repose, as if to form one of her finest contrasts with the rude and rolling grandeur on the West. From this grand point, bringing under the eye a most magnificent panorama, are overlooked, like pignies, all the neighboring mountains as far as the Chesapeake; and the Atlantic itself might be seen were it not for the greatness of the distance. Hence it was, that the youthful philosopher, before the Revolution, was wont to scrutinize the motions of



the planets, with the mightier revolutions of the celestial sphere ; and to witness that phenomenon so interestingly described in his Notes on Virginia, as among the sublimest of Nature's operations, the looming of the distant mountains. From this elevated seat he was wont to enjoy those scenes to which he reverted with so much fondness and enthusiasm, while in France : "And our own dear Monticello ; where has nature spread so rich a mantle under the eye ? —mountains, forests, rocks, rivers. With what majesty do we there ride above the storms ! How sublime to look down into the work-house of Nature, to see her clouds, hail, snow, rain, thunder, all fabricated at our feet ! and the glorious sun when rising as if out of a distant water, just gilding the tops of the mountains, and giving life to all nature." From this proud summit, too, 'the Patriot,' in the language of a visiter, 'could look down, with uninterrupted vision, upon the wide expanse of the world around, for which he considered himself born ; and upward, to the open and vaulted heavens which he seemed to approach, as if to keep him continually in mind of his high responsibility. It is indeed a prospect in which you see and feel, at once, that nothing mean or little could live. It is a scene fit to nourish those great and high-souled principles which formed the elements of his character, and was a most noble and appropriate post for such a sentinel over the rights and liberties of man.'

In the centre of the summit of this chosen eminence, rose the magnificent Mansion of the secluded Patriarch. It was erected and furnished in the days of his affluence ; and was such an one, in all respects, as comported with the character and fortune of the man.

The main structure is one hundred feet in length, from east to west, above sixty in depth, from north to south, presenting a front in every direction. The basement story is raised five or six feet above the ground, from which springs the principal story, above twenty feet in height, whereon rests an attic of about eight feet. The whole is surmounted by a lofty dome, of twenty eight feet in diameter, rising from the centre of the building. The principal front faces the east, and is adorned with a noble portico, ballancing a corresponding one on the west. The north and south fronts present arcades, or piazzas, under which are cool recesses that open in both cases on a floored terrace, projecting a hundred feet in a straight line, and then another hundred feet at right angles, until

terminated by pavilions of two stories high. Under the whole length of these terraces is a range of one story buildings, in which are the offices requisite for domestic purposes, and the lodgings of the household servants. The external of the structure is finished in the Doric order complete, with balustrades on the top of it: the internal, contains specimens of all the different orders, except the composite which is not introduced. The hall is in the Ionic, the dining room in the Doric, the parlor in the Corinthian, and the dome in the Attic. Improvements and additions, both useful and ornamental, were continually going on, as they were suggested by the taste and ingenuity of the owner. Indeed, the whole building had been almost in a constant state of re-edification, from its ante-revolutionary form, which was highly finished, to the present time: "and so I hope it will remain during my life," said he to a visiter, "as architecture is my delight, and putting up, and pulling down, one of my favorite amusements."

On the declivities of the mountain are arranged the dwellings of artificers and mechanics of every description, and their work shops: for it was the study of the illustrious proprietor to make himself perfectly independent. He had his carpenter's shop, his blacksmith's shop, cabinet shop, &c. &c. with a complete suit of manufactories for cottons and woollens, grain mills, sawing mills, and a nail factory conducted by boys. His carriage was made by his own workmen, as were also many articles of his fine furniture. The fabrication with his own hands of curious implements and models, was one of his favorite amusements.

On entering the Mansion by the east front, the visiter is ushered into a spacious and lofty hall, whose hangings announce at once the character and ruling passions of the man. On the right, on the left, and around, his eye is struck with objects of science and taste, whose arrangement is so curious and admirable as to produce a dramatic effect. On one side are specimens of sculpture, in the form of statues and busts, disposed in such order, as to exhibit at a *coup d'œil*, the historical progress of the art; from the first rude attempts of the aborigines of our country, to the most finished models of European masters, particularly a bust of the great Patriot himself, from the hand of Caracci. Among others are noticed the bust of a male and female sitting in the Indian position, supposed to be very ancient, having been ploughed up in Tennessee: a full length

figure of Cleopatra, in a reclining position, after she had applied the asp; the busts of Voltaire and Turgot, in plaister. His own bust stands on a truncated column, on the pedestal of which are represented the twelve tribes of Israel, and the twelve signs of the Zodiac. On the other side are displayed a vast collection of specimens of Indian art, their paintings, engravings, weapons, ornaments, manufactures, statues, and idols; and on another, a profusion of natural curiosities, prodigies of ancient art, fossil productions of every description, mineral and animal, &c. &c. Among others are particularly noticed a perfect model of the great pyramid of Egypt; the upper and lower jaw bones and tusks of the mammoth, advantageously contrasted with those of an elephant along side of them.

From the hall the visitor enters a spacious saloon, through immense folding doors, whose portals seem indicative of the disposition of the master. In this apartment, the walls are covered with the modern productions of the pencil, of the finest workmanship; historical paintings of the most striking subjects from all countries, and all ages; scriptural paintings, among which are the Ascension, the Holy Family, the Scourging of Christ, and the Crucifixion, by their respective masters; the portraits of distinguished characters, both of Europe and America; with engravings, coins, and medallions in endless profusion,—all so blended with the singular elegance and variety of the furniture of the room, as to produce an enchanting effect. Here, and in the other rooms, are the portraits of Bacon, Newton, and Locke, his ‘trinity of the three greatest men the world had ever produced;’ of Columbus, Vesputius, Cortez, Magellan, Raleigh; of Franklin, Washington, La Fayette, Adams, Madison, Rittenhouse, Paine, and many other remarkable men. Here, too, are the busts of Alexander and Napoleon, placed on pedestals, each side of the door of entrance.

The whole of the southern wing is occupied by the Library, Cabinet, and chamber of Mr. Jefferson. The library is divided into three apartments, opening into each other, the walls of which are covered with books and maps. It contained, at one time, the greatest private collection of books ever known in the United States, and incomparably the most valuable, from the multitude of rare works, and the general superiority of the editions. He had been fifty years enriching and perfecting his assortment, omitting no pains, opportunities, or expense. While in Paris he devoted every after-

noon he was disengaged, for a summer or two, in examining the principal bookstores, and putting by every thing which related to America, with whatever was valuable in the sciences. Besides this he had standing orders, during the whole time he was in Europe, in its principal bookmarts, for all such works as could not be found in Paris. After the conflagration of Washington in the last war, and the destruction of the library, he sold about ten thousand volumes to the government, "to replace the devastations of British vandalism," as he indignantly characterised the licentious transaction. Confiding in the honor of Congress, he made a tender of them to the government, at their own price. The consequence was, that he obtained but about twenty-four thousand dollars for what was worth more than three times that sum, at the London prices. In his cabinet, he is surrounded with several hundred of his favorite authors, lying near at hand, with every accommodation and luxury which ease or taste could require. This apartment opened into a green-house, filled with a collection of the most rare plants : and he was seldom without some geranium or other plant beside him. Connected with his study were extensive apparatuses for mathematical, philosophical, and optical purposes. It was supposed there was no private gentleman in the world in possession of so perfect and complete a scientific, useful, and ornamental collection as Mr. Jefferson.

Such is an imperfect representation of a patriarchal Seat and appendages, whose just celebrity has attracted the wayfarer of every land, and left him in wonder on retiring from it. But who shall describe its great architect and occupant ? No one surely, who has not met in person his outstretched hand, and felt the warm and eager welcome of his grasp, and thrilled at the intonations of his melodious voice, and gazed upon the mellow enthusiasm of his countenance, waving with the light of a boundless benevolence, and the chaste corruscations of a mighty, refined, and well-balanced intellect. Let this delicate duty, therefore, be discharged by adopting the record of a distinguished guest, whose genius had been touched by the influence of his presence :

"While the visiter was yet lost in the contemplation of these treasures of the arts and sciences, he was startled by the approach of a strong and sprightly step, and turning with instinctive reverence to the door of entrance, he was met by the tall, and animated,

and stately figure of the patriot himself—his countenance beaming with intelligence and benignity, and his outstretched hand, with its strong and cordial pressure, confirming the courteous welcome of his lips. And then came that charm of manner and conversation that passes all description—so cheerful—so unassuming—so free, and easy, and frank, and kind, and gay—that even the young, and overawed, and embarrassed visiter at once forgot his fears, and felt himself by the side of an old and familiar friend. There was no effort, no ambition in the conversation of the philosopher. It was as simple and unpretending as nature itself. And while in this easy manner he was pouring out instruction, like light from an inexhaustible solar fountain, he seemed continually to be asking, instead of giving information. The visiter felt himself lifted by the contact, into a new and nobler region of thought, and became surprised at his own buoyancy and vigor. He could not, indeed, help being astounded, now and then, at those transcendant leaps of the mind, which he saw made without the slightest exertion, and the ease with which this wonderful man played with subjects which he had been in the habit of considering among the *argumenta crucis* of the intellect. And then there seemed to be no end to his knowledge. He was a thorough master of every subject that was touched. From the details of the humblest mechanic art, up to the highest summit of science, he was perfectly at his ease, and every where at home. There seemed to be no longer any *terra incognita* of the human understanding: for, what the visiter had thought so, he now found reduced to a familiar garden walk; and all this carried off so lightly, so playfully, so gracefully, so engagingly, that he won every heart that approached him, as certainly as he astonished every mind."

Although reposing in the bosom of his native mountains, and happy in the indulgence of those pursuits and enjoyments, from which nothing but revolutionary duties would ever have separated him, his remote seclusion did not shield him from those annoyances, which are inseparable from great and virtuous renown. He was persecuted with a perpetual deluge of letters, of which every mail brought a fresh accumulation; not those from his intimate friends, with whom he delighted to interchange sentiments, but from strangers and others, "who" as he said "oppressed him, in the most friendly dispositions, with their concerns, their pursuits, their

projects, inventions, and speculations, political, moral, religious, mechanical, mathematical, historical, &c. &c." This drew upon him a burden, which formed a great obstacle to the delights of retirement; for it was a sacred rule with Mr. Jefferson, never to omit answering any respectful letter received by him, however obscure the individual, or insignificant the object. Happening, on one occasion, to turn to his letter-list, his curiosity was excited to ascertain the number received in the course of a single year; and on counting, it appeared there were one thousand two hundred and sixty seven, 'many of them requiring answers of elaborate research, and all to be answered with due attention and consideration.' Taking an average of this number for a week or a day, and he might well compare his drudgery at the writing-table to 'the life of a mill-horse, who sees no end to his circle but in death,' or to 'the life of a cabbage, which was a paradise in contrast.' For these distressing intrusions, however, not a murmur or a querulous expression escaped from him in public; and when compelled to allude to them in his letters of friendship, as apologies for his apparent remissness in this department, he would lament them only, as 'the kind indiscretions which were so heavily oppressing the departing hours of life.'

To his persecutions from this source, was occasionally super-added the treachery of correspondents, in the publication of his letters; which embroiled him with the partisans of the adversary opinion, and subjected him to much mortification and uneasiness, when his strongest desire was that of dying in the good-will of all mankind. Conscious of his own singleness and honesty, he boldly and habitually trusted his fellow-man; and, though often betrayed, he would never surrender the happiness of this confidence but with the desire of existence. To the possession of this felicitous attribute, are to be ascribed, in great part, the firmness and enthusiasm of that phalanx, which, under every pressure of injustice, in every tempest of political dissension, supported him unharmed and triumphant through the focus of its violence. He, who so fondly trusted others, was sure to be trusted himself. "Thus am I situated," he wrote to a friend—"I receive letters from all quarters, some from known friends, some from those who write like friends, on various subjects. What am I to do? Am I to button myself up in Jesuitical reserve, rudely declining any answer, or answering in

terms so unmeaning, as only to prove my distrust? Must I withdraw myself from all interchange of sentiment with the world? I cannot do this. It is at war with my habits and temper. I cannot act as if all men are unfaithful, because some are so; nor believe that all will betray me because some do. I had rather be the victim of occasional infidelities, than relinquish my general confidence in the honesty of man."

There is nothing more tender and beautiful in the history of the retirement of this great man, than his exertions to revive revolutionary affections between Mr. Adams and himself, which had been interrupted by the intermediate conflicts of political opinion. They had ceased in expression only, not in their existence or cordiality, on the part of Mr. Jefferson, who regarded the discontinuance of friendly correspondence between them, as 'one of the most painful occurrences in his life'; with Mr. Adams, they had been affected, though never destroyed, partly by the sanguine cast of his constitution, but principally by the artful and imposing suggestions of the busy intriguers, that Mr. Jefferson perhaps participated in the electioneering activity and licentiousness of the contest which was overthrowing his administration. The injustice of this imputation is apparent from the fact, that in his most confidential letters, he never alluded to Mr. Adams with personal disrespect, and even charged the errors of his administration upon his ministers and advisers, not upon him. An affecting instance of magnanimity towards his competitor, has been recorded of him by a political opponent, who was an eye-witness of the scene. In Virginia, where the opposition to the federal ascendancy ran high, the younger spirits of the day, catching their tone from the public journals, imputed to Mr. Adams, on various occasions, in the presence of Mr. Jefferson, a concealed design to overturn the Republic, and supply its place with a Monarchy on the British model. The uniform answer of Mr. Jefferson to this charge, will never be forgotten by those who heard it, of whom there are many still living, besides the particular narrator. It was this: "Gentlemen, you do not know that man: there is not upon this earth a more perfectly honest man than John Adams. Concealment is no part of his character; of that he is utterly incapable: it is not in his nature to meditate any thing that he would not publish to the world. The measures of the General government are a fair subject for difference of opinion.

But do not found your opinions on the notion, that there is the smallest spice of dishonesty, moral or political, in the character of John Adams : for I know him *well*, and I repeat it, that a man more perfectly honest never issued from the hands of his Creator.”*

When the nation, at length, passed sentence of condemnation on the federal administration, the subsequent intrigues that were used to discomfit the popular will, by the elevation of Burr ; the unmanly attempt to extort capitulatory terms from Mr. Jefferson ; and the scenes of midnight appointment which ensued, compelling him to act by hostile instruments, or incur the odium of removing them, produced in his mind a momentary dissatisfaction with Mr. Adams, who had been a promoter of some of the proceedings, and the ostensible agent of others. A very little time and reflection, however, obliterated every sentiment of displeasure from his mind, and restored him to that just estimate of Mr. Adams' virtues, which a long acquaintance had enabled him to establish. And his first wish, on coming into power, was to render easy and dignified the retirement of his venerable rival, by the gift, either directly or indirectly, of the most lucrative office in Massachusetts, should it not be deemed affrontive. But on suggesting it to some republican members of the delegation from that State, they were of opinion he would take great offence at the offer ; and, moreover, that the body of republicans would consider such a step at the outset, as auguring very ill of the course he intended to pursue. He therefore, abandoned the idea, but did not cease wishing for some opportunity to renew their friendly understanding.

Two or three years after, to wit, in 1804, having had the misfortune to lose a daughter, between whom and Mrs. Adams there had been considerable intimacy, she made it the occasion of writing Mr. Jefferson a letter of condolence ; in which, with the tenderest sentiments of concern for the event, she avoided a single expression of friendship towards himself, and even concluded it with the wishes ‘ of her who *once* took pleasure in subscribing herself your friend,’ &c. Unpromising as was the complexion of this letter, he seized the partial opening which it offered, to make an effort towards removing the clouds from between them. The answer of Mr. Jefferson expressed the warmest sensibilities for the kindness manifested towards

* Wirt's Eulogy.

his departed daughter ; went largely into explanations of the circumstances which had seemed to draw a line of separation between them ; and breathed the most fervent wishes for a reconciliation with herself and Mr. Adams. In conclusion, he said : " I have thus, my dear madam, opened myself to you without reserve, which I have long wished an opportunity of doing ; and without knowing how it will be received, I feel relief from being unbesomed. And I have now only to entreat your forgiveness for this transition from a subject of domestic affliction, to one which seems of a different aspect. But though connected with political events, it has been viewed by me most strongly in its unfortunate bearings on my private friendships. The injury these have sustained has been a heavy price for what has never given me equal pleasure. That you both may be favored with health, tranquillity and long life, is the prayer of one who tenders you the assurance of his highest consideration and esteem." This letter was followed by a further correspondence between the parties, from which soon finding that conciliation was desperate, he yielded to an intimation in the last letter of Mrs. Adams, and ceased from further explanations.

Being now retired from all connection with the political world, with every ground of jealousy removed, his determination, with his hopes, revived to make another effort towards restoring a friendly understanding with his worthy revolutionary colleague. To this end he opened a correspondence with Dr. Rush, a mutual friend, upon the subject ; to whom he gave a history of all that had happened between them ; enclosed to him the late unsuccessful correspondence ; and expressed his undiminished attachment to Mr. Adams, with the wish that he would use his endeavors to re-establish ancient dispositions between them. A short time after, two of Mr. Jefferson's neighbors and friends, while on a tour to the northward, fell in company with Mr. Adams at Boston, and by his invitation passed a day with him at Braintree. In the freedom and enthusiasm of the occasion, he spoke out every thing which came uppermost, without reserve ; dwelt particularly upon his own administration, and alluded to his *masters*, as he called his Heads of Department, representing them as having acted above his control, and often against his opinions. Among other topics, he adverted to the unprincipled licentiousness of the press against Mr. Jefferson, adding, ' I always loved Jefferson, and still love him.'

The moment Mr. Jefferson received this intelligence he again wrote to his friend Rush :

"This is enough for me. I only needed this knowledge to revive towards him all the affections of the most cordial moments of our lives. Changing a single word only in Dr. Franklin's character of him, I knew him to be always an honest man, often a great one, but sometimes incorrect and precipitate in his judgments : and it is known to those who have ever heard me speak of Mr. Adams, that I have ever done him justice myself, and defended him when assailed by others, with the single exception as to his political opinions. But with a man possessing so many other estimable qualities, why should we be dissocialized by mere differences of opinion in politics, in religion, in philosophy, or any thing else. His opinions are as honestly formed as my own. Our different views of the same subject are the result of a difference in our organization and experience. I never withdrew from the society of any man on this account, although many have done it from me ; much less should I do it from one with whom I had gone through, with hand and heart, so many trying scenes. I wish, therefore, but for an apposite occasion to express to Mr. Adams my unchanged affections for him. There is an awkwardness which hangs over the resuming a correspondence so long discontinued, unless something could arise which should call for a letter. Time and chance may perhaps generate such an occasion, of which I shall not be wanting in promptitude to avail myself. From this fusion of mutual affections, Mrs. Adams is of course separated. It will only be necessary that I never name her. In your letters to Mr. Adams, you can, perhaps, suggest my continued cordiality towards him, and knowing this, should an occasion of writing first present itself to him, he will perhaps avail himself of it, as I certainly will, should it first occur to me. No ground for jealousy now existing, he will certainly give fair play to the natural warmth of his heart. Perhaps I may open the way in some letter to my old friend Gerry, who I know is in habits of the greatest intimacy with him.

"I have thus, my friend, laid open my heart to you, because you were so kind as to take an interest in healing again revolutionary affections, which have ceased in expression only, but not in their existence. God ever bless you, and preserve you in life and health."

In the course of another month, these two immortal Patriarchs of the Revolution were affectionately brought together, after a ten years' suspension of all friendly intercommunication. The correspondence which passed between them, on the restitution of their ancient cordiality, is one of the most interesting and affecting legacies ever bequeathed to the world. It has been well described, as resembling more than any thing else, one of those conversations in

the Elysium of the ancients which the shades of the departed great were supposed to hold, with regard to the affairs of the world they had left. That correspondence was a great sweetener of their departing years, blending the apothegms of Science, Morality and Religion, and the warmest effusions of reciprocal love and admiration, with sportive reminiscencies on their past agitations, rivalries, mutual follies, mistakes, and misconceptions. And coming, as it did, from the Chiefs of the antagonist parties which have divided the nation from its birth, it reads an awful lesson of reprehension on that fellness of party spirit, which has overspread the land with a scourge of dissocialization, splitting neighborhoods into repulsive coteries and combinations, and rending asunder families and friends. Mr. Jefferson's part, or probably the greatest portion of it, has already been given to the world, and would make a volume of itself. A few disjointed fragments, of the personal and desultory kind, taken promiscuously from his letters of different dates, are all that can be expected to enter into this general view of the correspondence.

"A letter from you calls up recollections very dear to my mind. It carries me back to the times when, beset with difficulties and dangers, we were fellow-laborers in the same cause, struggling for what is most valuable to man, his right of self-government. Laboring always at the same oar, with some wave ever ahead threatening to overwhelm us, and yet passing harmless under our bark, we knew not how, we rode through the storm with heart and hand, and made a happy port. Still we did not expect to be without rubs and difficulties; and we have had them. First the detention of the western posts: then the coalition of Pilnitz, outlawing our commerce with France, and the British enforcement of the outlawry. In your day, French depredations: in mine, English, and the Berlin and Milan decrees: now, the English orders of council, and the piracies they authorise. When these shall be over, it will be the impressment of our seamen, or something else: and so we have gone on, and so we shall go on, puzzled and prospering beyond example in the history of man. And I do believe we shall continue to growl, to multiply and prosper, until we exhibit an association, powerful, wise, and happy, beyond what has yet been seen by men."

"I have thus stated my opinion on a point on which we differ, not with a view to controversy, for we are both too old to change opinions which are the result of a long life of enquiry and reflection; but on the suggestion of a former letter of yours, that we ought not to die before we have explained ourselves to each other. We acted in perfect harmony, through a long and perilous contest for our liberty and independence. A constitution has been acquired, which,

though neither of us thinks perfect, yet both consider as competent to render our fellow citizens the happiest and the securest on whom the sun has ever shone. If we do not think exactly alike as to its imperfections, it matters little to our country, which, after devoting to it long lives of disinterested labor, we have delivered over to our successors in life, who will be able to take care of it and of themselves."

"I learned with great regret the serious illness mentioned in your letter; and I hope Mr. Rives will be able to tell me you are entirely restored. But our machines have now been running seventy or eighty years, and we must expect that, worn as they are, here a pivot, there a wheel, now a pinion, next a spring, will be giving way; and however we may tinker them up for a while, all will at length surcease motion. Our watches, with works of brass and steel, wear out within that period. Shall you and I last to see the course the seven-fold wonders of the times will take? The Attila of the age dethroned, the ruthless destroyer of ten millions of the human race, whose thirst for blood appeared unquenchable, the great oppressor of the rights and liberties of the world, shut up within the circuit of a little island of the Mediterranean, and dwindling to the condition of an humble and degraded pensioner on the bounty of those he has most injured. How miserably, how meanly, has he closed his inflated career! What a sample of the bathos will his history present! He should have perished on the swords of his enemies under the walls of Paris."

"You ask, if I would agree to live my seventy or rather seventy-three years over again? To which I say, yea. I think with you, that it is a good world on the whole; that it has been framed on a principle of benevolence; and more pleasure than pain dealt out to us. There are, indeed, (who might say may) gloomy and hypochondriac minds, inhabitants of diseased bodies, disgusted with the present, and despairing of the future: always counting that the worst will happen, because it may happen. To these I say, how much pain have cost us the evils which have never happened! My temperament is sanguine. I steer my bark with Hope in the head, leaving Fear astern. My hopes, indeed, sometimes fail; but not oftener than the forebodings of the gloomy. 'Tis true, I acknowledge, even in the happiest life, some terrible convulsions, heavy set-offs against the opposite prop of the account. I have often wondered for what good end the sensations of grief could be intended. All our other passions, within proper bounds, have an useful object. And the perfection of the moral character is, not in a stoical apathy, so hypocritically vaunted, and so untruly too, because impossible, but in a just equilibrium of all the passions. I wish the pathologists then would tell us what is the use of grief in the economy, and of what good it is the cause, proximate or remote."

"The public papers, my dear friend, announce the fatal event of which your letter of October the 20th, had given me ominous foreboding. Tried myself in the school of affliction, by the loss of every form of connection which can rive the human heart, I know well and feel what you have lost, what you have suffered, are suffering, and have yet to endure. The same trials have taught me that, for ills so immeasurable, time and silence are the only medicine. I will not, therefore, by useless condolences, open afresh the sluices of your grief, nor, although mingling sincerely my tears with yours, will I say a word more where words are vain, but that it is of some comfort to us both, that the term is not very distant, at which we are to deposite in the same cerement our sorrows and suffering bodies, and to ascend in essence to an extatic meeting with the friends we have loved and lost, and whom we shall still love, and never lose again. God bless you and support you under your heavy affliction."

"Putting aside these things, however, for the present, I write this letter as due to a friendship coeval with our government, and now attempted to be poisoned,* when too late in life to be replaced by new affections. I had for some time observed, in the public papers, dark hints and mysterious innuendoes of a correspondence of yours with a friend, to whom you had opened your bosom without reserve, and which was to be made public by that friend or his representative. And now it is said to be actually published. It has not yet reached us, but extracts have been given, and such as seemed most likely to draw a curtain of separation between you and myself. Were there no other motive than that of indignation against the author of this outrage on private confidence, whose shaft seems to have been aimed at yourself more particularly, this would make it the duty of every honorable mind to disappoint that aim, by opposing to its impression a seven-fold shield of apathy and insensibility. With me, however, no such armor is needed. The circumstances of the times in which we have happened to live, and the partiality of our friends at a particular period, placed us in a state of apparent opposition, which some might suppose to be personal also; and there might not be wanting those who wished to make it so, by filling our ears with malignant falsehoods, by dressing up hideous phantoms of their own creation, presenting them to you under my name, to me under yours, and endeavoring to instil into our minds things concerning each other the most destitute of truth. And if there had been, at any time, a moment when we were off our guard, and in a temper to let the whispers of these people make us forget what we had known of each other for so many years, and years of so much trial, yet all men, who have attended to the workings of the human mind, who have seen the false colors under which pas-

* Alluding to the Cunningham Correspondence.

sion sometimes dresses the actions and motives of others, have seen also those passions subsiding with time and reflection, dissipating like mists before the rising sun, and restoring to us the sight of all things in their true shape and colors. It would be strange, indeed, if, at our years, we were to go an age back to hunt up imaginary or forgotten facts, to disturb the repose of affections so sweetening to the evening of our lives. Be assured, my dear Sir, that I am incapable of receiving the slightest impression from the effort now made to plant thorns on the pillow of age, worth, and wisdom, and to sow tares between friends who have been such for near half a century. Beseeching you, then, not to suffer your mind to be disquieted by this wicked attempt to poison its peace, and praying you to throw it by among the things which have never happened, I add sincere assurances of my unabated and constant attachment, friendship and respect."

But the cultivation of the affections, social and domestic, and the delights of philosophical and agricultural occupation, were subjects which engaged only a subordinate share of the attention of Mr. Jefferson in retirement. One other enterprise, of public and vast utility, which it was reserved for him to accomplish, constituted the engrossing topic of his mind, from the moment of his return to private life, to the day and hour of his death. This was the establishment of the University of Virginia,—a most genial employment for his old age, and, very appropriately, the crowning act of the long and wonderful drama of his life. Having assisted in achieving for his country the inestimable blessings of civil and religious liberty, he considered the work but half complete, without securing to posterity the means of preserving that condition of moral culture, on which the perpetuation of those blessings forever depends. It was one of the first axioms to which he attained, that the liberties of a nation could never be safe but in the hands of the people themselves, and that too of the people with a certain degree of instruction. A system of education, therefore, which should reach every description of citizens, from the richest to the poorest, as it was the earliest, so it was the latest of public concerns in which he permitted himself to take an interest.

The opinions of Mr. Jefferson on the subject of Education were given in detail, while the Revised Code of Virginia was under consideration; of which the 'Bill for the General Diffusion of Knowledge,' drafted by him, was a distinguishing feature. The system marked out in that Bill, proposed three distinct grades of instruction: the sum total of whose objects may be explained by adopting a sin-

gle expression of the author,—‘to give the highest degrees of education to the higher degrees of genius, and to all degrees of it, so much as may enable them to read and understand what is going on in the world, and to keep their part of it going on right.’ No part of this expansive system had been carried into effect by the Legislature, except that proposing the elementary grade of instruction; and the intention of this was completely defeated by the option given to the County Courts. The University composed the ultimate grade of the system, and was the one which peculiarly enlisted the zeal of the founder, without, however, subtracting from his devotion to the whole scheme. In this Institution, like those of the university rank in Europe, it was his intention to have taught every branch of Science, useful to mankind, and in its highest degree; with such a classification of the sciences into particular groups, as to require so many Professors only, as might bring them within the views of a just but enlightened economy.

The plan of the University was unique, in its superstructure, in its intellectual *regime*, and its general organization. It was original with Mr. Jefferson,—the offspring of his genius, aided by his extensive observations while in Europe. The University of Virginia is emphatically his work. His was the first conception, having been started by him more than forty years ago: his, the subsequent impulse and direction which finally brought it to maturity; his, the whole scheme of its studies, organization and government: and his, the beautiful and varied architecture of its buildings, in which he improved the occasion to present a specimen of each of the orders of the art, founded on Grecian and Roman models. He did this last with a view to inspire the youth who resorted thither, with ‘the imposing associations of antiquity,’ and to retrieve, as far as he could, the character of his country from that pointed sarcasm in his Notes on Virginia, that “the genius of architecture seems to have shed its maledictions over this land.” Being located, in gratitude to its founder, within four miles of Monticello, he superintended its erection daily, and with the purest satisfaction. The plan of the buildings embraced: 1st. *Pavilions*, arranged on either side of a lawn, indefinite in length, to contain each a lecture room, and private apartments sufficient to accommodate a Professor and his family. 2d. A range of *Dormitories*, connecting the Pavilions, of one story high, sufficient each for the accommodation of two students

only,—as the most advantageous to morals, order and uninterrupted study,—with a passage under cover from the weather, giving a communication along the whole range. 3d. *Hotels*, for the dieting of the students, to contain each a single room for a refectory, and accommodations sufficient for the tenants charged with this department. 4th. A *Rotunda*, or large circular building, in which were rooms for religious worship, under such regulations as the Visitors should prescribe, for public examinations, for a library, for schools of music, drawing, and other associated purposes. The principal novelties in the scheme of its studies, were a Professorship of the principles of government, “to be founded in the rights of man,” to use the significant language of the originator; a Professorship of agriculture; one of modern languages, among which the Anglo-Saxon was included, that the learner might imbibe, with their language, their free principles of government; and the absence of a Professorship of Divinity, ‘to give fair play to the cultivation of reason,’ as well as to avoid the constitutional objection against a public establishment of any religious instruction. A Rector and Board of Visitors, appointed by the Legislature, composed the government of the Institution; and their first meeting was in August, 1818, at Rockfish Gap, on the Blue Ridge, at which Mr. Jefferson presided, and drafted the first annual report to the Legislature. He was also appointed Rector of the University, in which office he continued until his death, when he was succeeded by Mr. Madison. The establishment went into operation in the spring of 1825, and is now in a flourishing condition.

The weight and vehemence of opposition which this institution encountered, through every stage of its progress, were such as would have been insurmountable to any person possessing less perseverance, or less ascendancy of personal character than Mr. Jefferson. Besides the ordinary circumstances of resistance, common to every enterprise of the kind in this country, it was met at the outset, by a combination of religious jealousies, probably never equalled. Hostile as they were, in every other point, to one another, all the religious sects in the State cordially co-operated in the effort to frustrate an institution, which, from the circumstance of its favoring no particular school of divinity, to the exclusion of another, was presumed to be inimical to all religion, in all its forms. These formidable antipathies, with the host of sectional rivalries, the steady counter-

action of William and Mary, and the tardy pace of the public patronage, produced an array of difficulties of so frightful a character, as to cloud the brow of Mr. Jefferson with an occasional anxiety, to which he was a stranger under the most afflicting occurrences of his political career ; yet he never despaired, resolving to ' die in the last ditch rather than give way.' After a most impressive exhortation to one of his colleagues of the Visitation, to exert all his faculties towards allaying the opposition, and arousing the Legislature, of which he was a member, to a sense of their distresses, he says :

"I have brooded, perhaps with fondness, over this establishment, as it held up to me the hope of continuing to be useful while I continued to live. I had believed that the course and circumstances of my life had placed within my power some services favorable to the outset of the institution. But this may be egotism ; pardonable, perhaps, when I express a consciousness that my colleagues and successors will do as well, whatever the Legislature shall enable them to do."

Again he writes to another friend of the University in the Legislature :

"When I retired from the administration of public affairs, I thought I saw some evidence that I retired with a good degree of public favor, and that my conduct in office had been considered, by the one party at least, with approbation, and with acquiescence by the other. But the attempt, in which I have embarked so earnestly, to procure an improvement in the moral condition of my native State, although, perhaps, in other States it may have strengthened good dispositions, it has assuredly weakened them in our own. The attempt ran foul of so many local interests, of so many personal views, and so much ignorance, and I have been considered as so particularly its promoter, that I see evidently a great change of sentiment towards myself. I cannot doubt its having dissatisfied with myself a respectable minority, if not a majority of the House of Delegates. I feel it deeply and very discouragingly ; yet I shall not give way. I have ever found in my progress through life, that acting for the public, if we do always what is right, the approbation denied in the beginning will surely follow us in the end. It is from posterity we are to expect remuneration for the sacrifices we are making for their service, of time, quiet, and good will."

At another time he bursts forth, in a letter to one of his colleagues, in a strain of despondency mingled with affectionate supplication, strongly portraying the difficulties in the way, and the almost overwhelming solicitude which he felt for the result :

"But the gloomiest of all prospects, is in the desertion of the best friends of the institution, for desertion I must call it. I know not the necessities which may force this on you. General Cocke, you say, will explain them to me; but I cannot conceive them, nor persuade myself they are uncontrollable. I have ever hoped, that yourself, General Breckenridge, and Mr. Johnson, would stand at your posts in the Legislature, until every thing was effected, and the institution opened. If it is so difficult to get along with all the energy and influence of our present colleagues in the Legislature, how can we expect to proceed at all, reducing our moving power? I know well your devotion to your country, and your foresight of the awful scenes coming on her, sooner or later. With this foresight, what service can we ever render her equal to this? What object of our lives can we propose so important? What interest of our own which ought not to be postponed to this? Health, time, labor, on what in the single life which nature has given us, can these be better bestowed than on this immortal boon to our country? The exertions and the mortifications are temporary: the benefit eternal. If any member of our college of Victors could justifiably withdraw from this sacred duty, it would be myself, who *quadragenis stipendii famulum paractis*, have neither vigor of body nor mind left to keep the field: but I will die in the last ditch, and so I hope you will, my friend, as well as our firm-breasted brothers and colleagues, Mr. Johnson and General Breckenridge. Nature will not give you a second life wherein to atone for the omissions of this. Pray then, dear and very dear Sir, do not think of deserting us, but view the sacrifices which seem to stand in your way, as the lesser duties, and such as ought to be postponed to this, the greatest of all. Continue with us in these holy labors, until, having seen their accomplishment, we may say with old Simeon, '*Nunc dimittis, Domine.*'"

The enthusiasm with which the aged patriarch embarked in this great undertaking, arose in a principal degree, from its contemplated bearing on the future destinies of his country, in a *political* sense. This is apparent in all his letters. He intended it as a school for the future politicians and statesmen of the Republic—of that Republic at whose birth he officiated, and in whose service he had worn out his life. The illustrious man who succeeded him in its Rectorship, has said: "This temple, dedicated to science and liberty, was, after Mr. Jefferson's retirement from the political sphere, the object nearest his heart, and so continued to the end of his life. His devotion to it was intense, and his exertions unceasing. It bears the stamp of his genius, and will be a noble monument to his fame. His general view was to make it *a nursery of republican patriots,*

as well as genuine scholars." The same idea is continually enforced in his impressive appeals to the members of the Legislature, and other individuals.

To General BRECKENRIDGE.—"The reflections that the boys of this age are to be the men of the next; that they should be prepared to receive the holy charge which we are cherishing to deliver over to them; that in establishing an institution of wisdom for them, we secure it to all our future generations; that in fulfilling this duty, we bring home to our own bosoms the sweet consolation of seeing our sons rising under a luminous tuition, to destinies of high promise; these are considerations which will occur to all; but all, I fear, do not see the speck in our horizon which is to burst on us as a tornado, sooner or later. The line of division lately marked out between different portions of our confederacy, is such as will never, I fear, be obliterated, and we are now trusting to those who are against us in position and principle, to fashion to their own form the minds and affections of our youth. If, as has been estimated, we send three hundred thousand dollars a year to the northern seminaries, for the instruction of our own sons, then we must have there five hundred of our sons, imbibing opinions and principles in discord with those of their own country. This canker is eating on the vitals of our existence, and if not arrested at once, will be beyond remedy. We are now certainly furnishing recruits to their school."

To J. MADISON.—"In the selection of our Law Professor, we must be rigorously attentive to his political principles. You will recollect, that, before the Revolution, Coke Littleton was the universal elementary book of law students, and a sounder whig never wrote, nor of profounder learning in the orthodox doctrines of the British constitution, or in what are called English liberties. You remember also that our lawyers were then all whigs. But when his black-letter text, and uncouth but cunning learning got out of fashion, and the honied Mansfieldism of Blackstone became the students' hornbook, from that moment, that profession (the nursery of our Congress) began to slide into toryism, and nearly all the young brood of lawyers now are of that hue. They suppose themselves, indeed, to be whigs, because they no longer know what whigism or republicanism means. It is in our seminary that that vestal flame is to be kept alive; it is thence it is to spread anew over our own and the sister States. If we are true and vigilant in our trust, within a dozen or twenty years a majority of our own Legislature will be from our school, and many disciples will have carried its doctrines home with them to their several States, and will have leavened thus the whole mass."

The profound and unalloyed satisfaction with which he reflected on the success of his labors, is expressed with a noble pride in a per-

sonal communication to the Legislature, a little before his death, wrung from him by the pressing hand of poverty.

"The effect," says he, "of this institution on the future fame, fortune, and prosperity of our country, can as yet be seen but at a distance. But an hundred well educated youths, which it will turn out annually, and ere long, will fill all its offices with men of superior qualifications, will raise it from its humble state to an eminence among its associates which it has never yet known; no, not in its brightest days. That institution is now qualified to raise its youth to an order of science unequalled in any other State; and this superiority will be the greater from the free range of mind encouraged there, and the restraint imposed at other seminaries by the shackles of a domineering hierarchy, and a bigoted adhesion to ancient habits. Those now on the theatre of affairs will enjoy the ineffable happiness of seeing themselves succeeded by sons of a grade of science beyond their own ken. Our sister States will also be repairing to the same fountains of instruction, will bring hither their genius to be kindled at our fire, and will carry back the fraternal affections which, nourished by the same Alma Mater, will knit us to them by the indissoluble bonds of early personal friendships. The good Old Dominion, the blessed mother of us all, will then raise her head with pride among the nations, will present to them that splendor of genius which she has ever possessed, but has too long suffered to rest uncultivated and unknown, and will become a centre of ralliance to the States whose youths she has instructed, and, as it were, adopted. I claim some share in the merits of this great work of regeneration. My whole labors, now for many years, have been devoted to it, and I stand pledged to follow it up through the remnant of life remaining to me."

Such were the concluding labors of one who had numbered more than four score years, and devoted sixty of them, uninterruptedly, to the service of his country. A more extraordinary life was never commemorated in history. The single feature of a sixty years' service, as no other instance of it has yet occurred among mankind, so it probably never will again. And should a parallel instance occur, even once and again, will it ever be as boldly, as beautifully, as wonderfully characterized? Will their course have been marked by the same transcendent *consistency*, through every stage of life, and revolution of fortune? A theme on which we need not, dare not venture to dilate. Long after the most of those who were his original adherents or opponents had disappeared from the world, he continued the cool, grey-haired champion of the same political doctrines which he espoused in the fire of green youth; nay, upon the

verge of the grave he stood, as it were, the embodied spirit of the Revolution, in all its purity and power, nourishing with its wholesome influence the acting generation of his country, and distributing its revolutionary energies among the nations of the earth which still slumbered in despotism. Will that service have been distinguished, uniformly, by the same holy *disinterestedness*? The pen of inspiration would alone be appropriate to a development of this ecstatic head. Will it ever be a service so *diversified* in its features, and of such equal pre-eminence in all, as to have left the world in doubt, whether it is most indebted to him as a Patriot, a Philosopher, a Scholar, a Philanthropist, a Moralist, a Statesman, a Diplomatist, an Author, a Writer, or a Social being? Will the times of their service have been as trying as those which embraced the stupendous achievements of our Revolution, our transition from colonial vassalage to the triumphant, secure, and blessed enjoyment of self-government, theretofore deemed an Utopian state? Will their agency have been as prominent in the erection and modification of this hallowed political structure, and in holding it to its genuine principles, against the fatal errors and catastrophes which have overruled the issues of every other struggle for its attainment? Above all, that topic on which the lover of human nature will ever hang with rapture, must we not look in vain among the records of the political actors of the world, for an example of that spotless *sincerity*, which never harbored a sentiment, a wish, or a feeling, in private, different from what it uttered in public,—of that chaste honor, which always asserted the just characters of his opponents, in the circle of his most confidential companions? Let the hoards of the private letters of the most illustrious men of their day be broken up, and display to view, as in the present case, the very sanctuary of their inmost thoughts and feelings, and see if they present the same beautiful mirror of their actions and professions. The same fidelity to friends, and magnanimity to opponents, the same repugnance to the noisy honors of the world, and devotion to philosophic retirement, the same absence of all intrigue, selfishness, and personal ambition, the same unbounded sacrifices in the cause of liberty and philanthropy, the same sleepless, Roman love of country, her rights, her interests, her honor, her prosperity.

But why should we attempt coolly to particularize the distinguishing ornaments of a public character, whose developments in the ag

gregate, were so extraordinary, and have given so powerful, and glorious, and lasting a direction to the current of human thought? Adopting a humble imitation of his masterly delineation of General Washington, may it not be summarily represented as 'in the mass perfect, in many points unrivalled, in nothing bad, in few points indifferent.' And never, since the age of miraculous interposition in the affairs of men, has there existed such an astonishing example of the silent, steady, and irresistible triumph of unobtrusive greatness over the confederated resistance of the temporal and spiritual principalities of the earth; for, with a world in arms against him, he succeeded in erecting a reputation whose base is the broad empire of Civil and Religious Liberty, and whose towering grandeur will never reach its culmination until this glorious empire shall have become as universal as the abode of humanity.

Shall we follow him into the walks of private life, into the temple of his hallowed seclusion, and view him under all the relations of husband, father, friend, companion, and man? Here, never did the Virtues and the Graces mingle their magic influences more potently to produce a model of the perfection which nature can cover under the human form. His heart was most fervent in its affections; and as confiding as innocence itself, never harboring a suspicion of the depository of its trust; and, what is more uncommon, as tenacious as it was ardent and confiding, holding on to its object without decay under every vicissitude. His friendships were of course indissoluble, those contracted earliest continuing forever, and existing the strongest. His justice was most severe, sacrificing the claims of the closest ties of affection, to avoid the contamination of dishonor; and his virtue, the most unbridled licentiousness of calumny has left without a taint. His temper was proverbially even, serene, and buoyant, thrusting fear always astern, and cherishing habitually the fond incitements of hope. Of domestic life he was at once the adorer and the idol, ever anxious to forego worldly honors and emoluments for its enjoyment; and such was the influence of his affection upon those around him, heightened by a sense of the respect of the world for him, that he was almost worshipped by his family. He delighted in the society of children, with whom he was accustomed, in his old age, to practice feats of agility which few could imitate. Being taken by surprise on one of these occasions, by the entrance of a stranger, he grasped his hand, smiling

and saying : " I will make no other apology than the good Henry the Fourth did, when he was caught by an ambassador playing horse, and riding one of his children on his back, by asking, are you a father ?—if you are no apology is necessary." His powers of conversation were of the highest order ; which, heightened by the charms of modesty, and an habitual show of equality in the presence of every one, and carried off with ' a voice of pure and delicate affection, which ran with brilliancy and effect through the whole compass of colloquial music, now bright with wit, now melting with tenderness,' made him the soul and centre of the social circle. Of the warmth of his social dispositions, the range of his private correspondence affords the most ennobling proofs. Even in the angry period of '98, so memorable for its dissocializing spirit, he wrote to a distinguished political opponent : " I feel extraordinary gratification in addressing this letter to you, with whom shades of difference in political sentiment have not prevented the interchange of good opinion, nor cut off the friendly offices of society and good correspondence. This political tolerance is the more valued by me, who consider social harmony as the first of human felicities, and the happiest moments those which are given to the effusions of the heart."

But the most interesting fragment of this nature, is found in a letter of friendship while in France, of which the following are extracts :

" I hope in God, no circumstance may ever make either seek an asylum from grief ! With what sincere sympathy I would open every cell of my composition, to receive the effusion of their woes ! I would pour my tears into their wounds ; and if a drop of balm could be found on the top of the Cordilleras, or at the remotest sources of the Missouri, I would go thither myself to seek and to bring it. Deeply practised in the school of affliction, the human heart knows no joy which I have not lost, no sorrow of which I have not drank ! Fortune can present no grief of unknown form to me ! Who, then, can so softly bind up the wound of another, as he who has felt the same wound himself ?"

" And what more sublime delight, than to mingle tears with one whom the hand of Heaven hath smitten ! to watch over the bed of sickness, and to beguile its tedious and its painful moments ! to share our bread with one to whom misfortune has left none ! This world abounds indeed with misery : to lighten its burthen, we must divide it with one another. But let us now try the virtue of your mathematical balance, and as you have put into one

scale the burthens of friendship, let me put its comforts into the other. When languishing then under disease, how grateful is the solace of our friends ! how are we penetrated with their assiduities and attentions ! how much are we supported by their encouragements and kind offices ! When Heaven has taken from us some object of our love, how sweet is it to have a bosom whereon to recline our heads, and into which we may pour the torrent of our tears ! Grief, with such a comfort is almost a luxury ! In a life where we are perpetually exposed to want and accident, yours is a wonderful proposition, to insulate ourselves, to retire from all aid, and to wrap ourselves in the mantle of self-sufficiency ! For assuredly nobody will care for him, who cares for nobody. But friendship is precious, not only in the shade, but in the sunshine of life ; and thanks to a benevolent arrangement of things, the greater part of life is sunshine. * * Let the gloomy monk, sequestered from the world, seek unsocial pleasures in the bottom of his cell ! Let the sublimated philosopher grasp visionary happiness, while pursuing phantoms dressed in the garb of truth ! Their supreme wisdom is supreme folly : and they mistake for happiness the mere absence of pain. Had they ever felt the solid pleasure of one generous spasm of the heart, they would exchange for it all the frigid speculations of their lives, which you have been vaunting in such elevated terms. Believe me, then, my friend, that that is a miserable arithmetic, which could estimate friendship at nothing, or at less than nothing."

How pure, and grateful, and animating the sensations with which every American must contemplate so rare an assemblage of virtues, in one of the most distinguished of their benefactors. But is there no circumstance to detract from this just national pride and exultation ? Alas ! there is one. All the latter years of Mr. Jefferson were overshadowed with gloom. He was permitted to languish in poverty and distress during the most helpless and hopeless period of his existence. If it be asked why he fell a victim to penury and want ? the answer is inscribed on every page of his country's history. It beams from the surface of every thing that is peculiar and admirable in the principles of our government. What institution is there in the United States which does not bear the impress of his genius and his labors ? What charitable establishment, promising real utility, that has not profitted of his patronage. What son or daughter of affliction, that has solicited aid, who has not shared his bounty ? What nation, clime, or kindred that has not participated of his generous hospitality ? He sacrificed the bulk of his

inheritance, immense as it was, upon the altar of all the virtues ; and the general prostration of the farming business, the calamitous fluctuations of the paper medium, which doubled and trebled his debts, by reducing in that proportion the value of landed property, and the bankruptcy of individuals for whom he had largely underwritten, carried away the remainder. In this hopeless condition, with his estate overloaded with incumbrances, his health daily sinking under age and disease, and harrowed by the prospect of leaving a numerous family in wretchedness, he threw himself, as a last and painful resource, not upon the gratitude—no, he could not do that—but upon the naked justice of his native State, as it had been frequently, though discretionally, exercised. He asked not a farthing from the treasury. He simply requested permission of the Legislature, by the aid of a Lottery, to *sell* his own property freely to pay his own debts ; and not to *sacrifice* it, as would have been unavoidable, if forced into a market without bidders, to enhance the fortunes of speculators merely, leaving those unpaid who had trusted to his good faith. This was the only form in which he would accept assistance from the public. His principles would not permit him to receive a donation from the State or General Government, and he forbade his friends from asking or receiving it. The following letter to his grandson, written in February, 1826, during the pendency of his application, presents an affecting picture of the state of his mind under the pressure of his multiplied adversities.

“My dear Jefferson—I duly received your affectionate letter of the 3d, and perceive there are greater doubts than I had apprehended whether the Legislature will indulge me in my request to them. It is a part of my mortification to perceive that I had so far overvalued myself as to have counted on it, with too much confidence. I see, in the failure of this hope, a deadly blast of all my peace of mind, during my remaining days. You kindly encourage me to keep up my spirits—but oppressed with disease, debility, age, and embarrassed affairs, this is difficult. For myself, I should not regard a prostration of fortune. But I am overwhelmed at the prospect of the situation in which I may leave my family ; my dear and beloved daughter, the cherished companion of my early life, and nurse of my age, and her children, rendered as dear to me as if my own, from having lived with them from their cradle, left in a comfortless situation, hold up to me nothing but future gloom—and I should not care were life to end with the line I am writing, were it not that I may be yet of some avail to the family. Their affec-

tionate devotion to me makes a willingness to endure life a duty, so long as it can be of any use to them. Yourself particularly, dear Jefferson, I consider as the greatest of the Godsendings which heaven has granted to me!—Without you, what could I do under the difficulties that now environ me? These have been produced in some degree by my own unskilful management, and devoting my time to the service of my country; but much also by the unfortunate fluctuations in the value of our money, and the long continued depression of farming business. But for the last, I am confident my debts might be paid, leaving me Monticello and the Bedford estate. But where there are no bidders, property, however great, is no resource for the payment of debts—all may go for little or nothing. Perhaps, however, even in this case, I may have no right to complain, as these misfortunes have been held back for my last days when few remain to me. I duly acknowledge that I have gone through a long life, with fewer circumstances of affliction than are the lot of most men.—Uninterrupted health, a competence for every reasonable want, usefulness to my fellow-citizens, a good portion of their esteem, no complaint against the world which has sufficiently honored me, and above all, a family which has blessed me by their affection, and never by their conduct given me a moment's pain. And should this my last request be granted, I may yet close with a cloudless sun, a long and serene day of life. Be assured, my dear Jefferson, that I have a just sense of the part you have contributed to this, and that I bear to you unmeasured affection."

The following extract of a letter to Mr. Madison, written about a week afterwards, is not without great interest from its concluding sentiments, and from the circumstance of its having been the last he ever addressed to his old and well-tried bosom friend. After leaving him a warm exhortation on the subject of the University, in view of its political importance to the country, and detailing the distressing situation of his finances, with the causes that led to it, he says:

"Reflecting on these things, the practice occurred to me, of selling, on fair valuation, and by way of lottery, often resorted to before the Revolution to effect large sales, and still in constant usage in every State for individual as well as corporation purposes. If it is permitted in my case, my lands here alone, with the mills, &c., will pay every thing, and leave me Monticello and a farm free. If refused, I must sell every thing here, perhaps considerably in Bedford, move thither with my family, where I have not even a log hut to put my head into, and whether ground for burial, will depend on the depredations which, under the form of sales, shall have been committed on my property. The question then with me was,

Utrum horum? But why afflict you with these details? Indeed, I cannot tell, unless pains are lessened by communication with a friend. The friendship which has subsisted between us, now half a century, and the harmony of our political principles and pursuits, have been sources of constant happiness to me through that long period. And if I remove beyond the reach of attentions to the University, or beyond the bourne of life itself, as I soon must, it is a comfort to leave that institution under your care, and an assurance that it will not be wanting. It has also been a great solace to me, to believe that you are engaged in vindicating to posterity the course we have pursued for preserving to them, in all their purity, the blessings of self-government, which we had assisted, too, in acquiring for them. If ever the earth has beheld a system of administration conducted with a single and steadfast eye to the general interest and happiness of those committed to it, one which, protected by truth, can never know reproach, it is that to which our lives have been devoted. To myself you have been a pillar of support through life. Take care of me when dead, and be assured that I shall leave with you my last affections."

But a few days after, to wit, on the 20th of February, 1826, his application for a Lottery passed the Legislature of Virginia, by unexpectedly great majorities in both Houses. This honorable issue imparted the purest consolation to the heart of the venerable Patriarch, and gave a spring to emotions which were almost dead before. "The necessity which dictated this expedient," he wrote to a friend, "cost me, in its early stage, unspeakable mortification. The turn it has taken, so much beyond what I could have expected, has counterbalanced all I suffered, and become a source of felicity which I should otherwise never have known." The scheme of the Lottery embraced three great prizes, to wit, the Monticello estate, valued at 71,000 dollars; the Shadwell mills adjoining it, valued at 30,000; and the Albemarle estate, at 11,500. The Bedford tract was not thrown in, because, being derived from his wife, Mr. Jefferson had only a life estate in it, with power to convey it to their descendants in such portions as he chose. Otherwise this estate would have gone in with the rest.

Simultaneously with the proceedings in the Virginia Legislature, and as soon as it became known that Mr. Jefferson was in a state of pecuniary distress, a spontaneous and noble feeling of gratitude burst forth in every section of the Union. That the great, the good, the revered character, who had been the chosen champion of the people under every oppression, foreign and internal, who had cover-

ed the wide empire with a solid and sparkling glory, should be permitted to pine in indigence, and be exiled, in his old age, from the haunt of his happier days, was too revolting to the spirit of America, not to awaken the liveliest sensibilities for his situation. The paltry expedient of a Lottery was considered too cold and calculating a remedy for a case which addressed itself to all the nobler sympathies of the human heart. Public meetings were called in all the considerable cities of the Union, at which feeling and high-spirited resolutions were passed, and subscriptions opened, which were as suddenly filled with emulous contributions to the relief of the suffering Apostle of human liberty. The Legislature of Louisiana, actuated by a peculiar sense of indebtedness to the author of their admission into the Republic, immediately passed an act appropriating ten thousand dollars to be placed at his disposal. The Legislature of South Carolina, it is believed, did the same. Various schemes were proposed, in different places, in all which the leading object appeared to be, how to bestow their bounty so as to give least pain to the delicacy of his feelings.

But Mr. Jefferson lived to derive very little benefit from these voluntary offerings of a grateful people, and none, from the legislative provision of his native State. His health had been impaired by a too free use of the Hot Spring Bath in 1818. From that time his indisposition steadily increased until the spring of 1826, when it attained a troublesome and alarming violence, giving certain indications of a gradual approach of dissolution. Of the issue he early seemed perfectly aware. On the 5th of June, he observed to a friend that 'he doubted his weathering the present summer.' On the 24th of June, his disorder and weakness having reached a distressing point, he yielded to the entreaties of his family and saw his physician—Dr. Dungleon of the University. On this occasion he warned a friend, who came to see him on private business, that "there was no time to be lost;" and expressed with regret his only apprehension, that "he could not hold out to see the blessed Fourth of July;" that he had called in a physician, and to gratify his family, would follow his prescriptions, but that it would prove unavailing—"the machine had worn out and would go on no longer." On the same day, he addressed that most remarkable letter to the Mayor of Washington, copies of which, elegantly printed and framed, adorn the mantle-pieces of many of the private dwellings in that

City, and the walls of its public edifices. This was the last letter he ever wrote, and surely none was better fitted to be the last, for it is clearly one of the most extraordinary among those of its extraordinary author.

“ Respected Sir,—The kind invitation I receive from you, on the part of the citizens of the city of Washington, to be present with them at their celebration on the fiftieth anniversary of American Independence, as one of the surviving signers of an instrument pregnant with our own, and the fate of the world, is most flattering to myself, and heightened by the honorable accompaniment proposed for the comfort of such a journey. It adds sensibly to the sufferings of sickness, to be deprived by it of a personal participation in the rejoicings of that day. But acquiescence is a duty, under circumstances not placed among those we are permitted to control. I should indeed, with peculiar delight, have met and exchanged there congratulations personally with the small band, the remnant of that host of worthies, who joined with us on that day, in the bold and doubtful election we were to make for our country, between submission or the sword; and to have enjoyed with them the consolatory fact, that our fellow-citizens, after half a century of experience and prosperity, continue to approve the choice we made. May it be to the world, what I believe it will be (to some parts sooner, to others later, but finally to all,) the signal of arousing men to burst the chains under which monkish ignorance and superstition had persuaded them to bind themselves, and to assume the blessings and security of self-government. That form which we have substituted, restores the free right to the unbounded exercise of reason and freedom of opinion. All eyes are opened, or opening, to the rights of man. The general spread of the light of science has already laid open to every view the palpable truth, that the mass of mankind has not been born with saddles on their backs, nor a favored few booted and spurred, ready to ride them legitimately, by the grace of God. These are grounds of hope for others. For ourselves, let the annual return of this day for ever refresh our recollections of these rights, and an undiminished devotion to them.

“ I will ask permission here to express the pleasure with which I should have met my ancient neighbors of the city of Washington and its vicinities, with whom I passed so many years of a pleasing social intercourse; an intercourse which so much relieved the anxieties of the public cares, and left impressions so deeply engraved in my affections, as never to be forgotten. With my regret that ill health forbids me the gratification of an acceptance, be pleased to receive for yourself, and those for whom you write, the assurance of my highest respect and friendly attachments.”

On the 28th of June, a friend from a distance visited him on private business, and has left an affecting account of his interview.

“As I approached the house,” says he, “the anxiety and distress visible in the countenance of the servants, increased the gloom of my own forebodings, and I entered it under no little agitation. After the object of my call was made known to Mrs. Randolph, she told me that, although her father had been expecting to see me, he was then too unwell to receive any one. It was but too evident, that the fears of his daughter overbalanced her hopes ; and while sympathising in her distress, I could not help sighing to think that, although separated from him only by a thin wall, I was never more to behold the venerable man, who had entered all the walks of politics and philosophy, and in all was foremost—and to whom the past, present and all future ages are, and will be so much indebted. However, Mrs. Randolph having left me, to attend to her father, soon returned, and observed that she had taken it for granted that he could not see me ; but upon her casually mentioning my arrival, he had desired I should be invited into his chamber. My emotions at approaching *Jefferson's dying bed*, I cannot describe. You remember the alcove in which he slept. There he was extended—feeble, prostrate ; but the fine and clear expression of his countenance not at all obscured. At the first glance he recognized me, and his hand and voice at once saluted me. The energy of his grasp, and the spirit of his conversation, were such as to make me hope he would yet rally—and that the superiority of mind over matter in his composition, would preserve him yet longer. He regretted that I should find him so helpless, talked of the freshet then prevailing in James river, and said he had never known a more destructive one. He soon, however, passed to the University, expatiated on its future utility, commended the professors, and expressed satisfaction at the progress of the students. A sword was suspended at the foot of his bed, which he told me was presented to him by an Arabian Chief, and that the blade was a true Damascus. At this time he became so cheerful as to smile, even to laughing, at a remark I made. He alluded to the probability of his death, as a man would to the prospect of being caught in a shower, as an event not to be desired, but not to be feared. Upon proposing to withdraw, I observed that I would call to see him again. He said, ‘well do, but you will dine here to day.’ To this I replied, ‘I proposed deferring that pleasure until he got better.’ He waved his hand and shook his head with some impatience, saying, emphat-

ically, 'you *must* dine here, my sickness makes no difference.' I consented, left him, and never saw him more."

During the four or five days remaining to him, his decay was gradual, but visible. Of this no one was more conscious than himself; yet he retained, to the last moment of his existence, the same serene, decisive, and cheerful temper, which had marked his eventful history. He often recurred with spirit and animation to the University, and expressed his hope that "the State would not *now* abandon it." He spoke of the changes which he feared would be made in it; of his probable successor as Rector; of the services he had rendered to his native State; and counselled and advised as to his private affairs. Upon being unusually ill for a short time, he observed very cheerfully, "Well Doctor, a few hours more and the struggle will be over." He called in his family, and conversed calmly and separately with each of them. To his daughter he presented a small morocco case which he requested her to open immediately after his decease. On opening the case it was found to contain an elegant and affectionate strain of poetry "on the virtues of his dutiful and incomparable daughter." When the 3d of July arrived, upon enquiring with some solicitude the day of the month, he expressed a fervent desire to live till the next day, that "he might breathe the air of the fiftieth anniversary, when he would joyfully sing, with old Simeon, *Nunc Dimittas, Domine.*" In the few short intervals of delirium which occurred, his mind relapsed to the age of the Revolution, with all the enthusiasm of that period. He talked, in broken sentences, of the Committees of Safety, and the rest of that great machinery, which he imagined to be still in motion. One of his exclamations was, "Warn the Committee to be on their guard," and he instantly rose in his bed, with the help of his attendants, and went through the act of writing a hurried note. But his reason was almost constantly in her seat, when the great topics on which he dwelt, were the happiness of his only and beloved child, the University of Virginia, and the advent of the approaching anniversary.

When the morning of that day came, he appeared to be thoroughly impressed, as if preternaturally, that he should not live through it, and only expressed a desire that he might survive until mid-day. He seemed perfectly at ease, being willing to die. When the Doctor entered his room, he said, "Well Doctor, you see I am

here yet." His disorder being checked, a friend expressed a hope of amendment. His reply was, "that the powers of nature were too much exhausted to be rallied." On a member of his family observing that he was better, and that the Doctor thought so, he listened with evident impatience, and said, "Do not imagine for a moment that *I* feel the smallest solicitude as to the result." He then calmly gave directions for his funeral, expressly forbidding all pomp and parade, when, being answered by a hope that it would be long ere the occasion would require their observance, he asked, with a smile, "Do you think I fear to die?" A few moments after, he called his family and friends around his bed-side, and uttered distinctly the following sentence: "I have done for my country, and for all mankind, all that I could do, and I now resign my soul, without fear, to my God, my daughter to my country." These were the last words he articulated—his last solemn declaration to the world—his dying will and testament, bequeathing his most precious gifts, to his God, and to his country. All that was heard from him afterwards, was a hurried repetition, in indistinct and scarcely audible accents, of his favorite ejaculation, *Nunc Dimittas, Domine—Nunc Dimittas, Domine*. He sunk away imperceptibly, and breathed his last without a struggle or a murmur, at ten minutes before one o'clock, on the great JUBILEE of American Liberty—the day, and hour too, on which the Declaration of Independence received its final reading, and the day, and hour, on which he prayed to Heaven that he might be permitted to depart.

Astonishing coincidence! wonderful euthanasia! Was not the hand of God most affectingly displayed in this event, as if to add another, and a crowning one, to the multiplied proofs of His special superintendence over this happy country? On the anniversary of a day the most distinguished in the annals of mankind—on the fiftieth anniversary of that momentous day—on a day, too, which his own great work had rendered thus momentous—at the identical moment, when, fifty years before, he was engaged in repeating its sublime and eternal truths, for the final adoption of his country,—and in merciful fulfilment of his last earthly prayer, he closed his eyes in patriot ecstasy, amidst the thunders of artillery, and the lightnings of impassioned declamation, flashing from every temple, and the hosannas of a congregated nation, uniting with one voice in proclaiming the assurances of his immortality! The like felicit-

ous combination has never happened in the world—no, nor can it ever happen, may be almost said with certainty. Few of the miracles recorded in the sacred writings, are more conspicuous or imposing. Mark again—what did not escape the wonder and the record of the anxious spectators of the scene—the extraordinary protraction of physical existence, manifested in the last moments of Mr. Jefferson, as if to render the coincidence more strikingly and beautifully complete. At 8 o'clock, P. M. on the 3d. of July, his physician, of whose eminence it would be superfluous to speak, pronounced that he might be expected to cease to live, every quarter of an hour from that time. Yet he lived seventeen hours longer, without any evident pain, or suffering, or restlessness; with sensibility, consciousness, and intelligence, for much more than twelve hours of the time; and at last gradually subsided into inanimation like a lamp which had shone throughout a long, dark night, spreading far its beneficent rays, and had continued to burn enough to usher in broad day light upon mankind. His desire to see the noon-tide of the National Jubilee was thus wonderfully fulfilled, contrary to the expectations of all around him. Surely, a life so precious and illustrious, should, if possible, be rendered more estimable, more sacred, in contemplation of the incomprehensible felicity of his death.

Never was this nation more profoundly impressed than by the occurrence of this event. When the first shock of the intelligence was over, the silent emotions of amazement yielded to interjectional exclamations from every tongue, of mingled surprise, admiration, and awe. Instead of being viewed in the light of a calamity, there was not a heart which did not feel a thrill of rapture at the miraculous beauty of such a death. Friend met friend in mournful pleasure, and interchanged felicitations, broken with ejaculations of wonder, on the signal manifestation of the hand of heaven in our affairs. Business was suspended, from town to town, as the intelligence spread through the country; the minute guns were fired, the bells all sounded a funeral note, the flags of the shipping fell half mast, and every demonstration of profound feeling, spontaneously co-operated in marking with reverence the impressive occasion. Yet, while the nation was heaving with the first agitations of the shock, the report of the death of his venerable co-adjutor of Quincy, but five hours after, on the same day, came like a second bolt from the same Superintending Hand, to confirm and redouble the awful solemnity of the

moment. Dying also in the same mighty spirit, with the last words, "*Independence forever*," and "*Jefferson survives*,"—the one the Author of the Declaration of Independence, the other its great champion and defender on the floor of Congress, and both the only two survivors of the committee appointed to prepare that instrument,—another and powerful confirmation was added, that 'Heaven itself mingled visibly in the jubilee celebration of American Liberty, hallowing anew the day by a double apotheosis.' They were amiable and glorious in their lives; in death they could not be divided. It was indeed a fit occasion for the deepest public feeling. Happening singly, each of these events was felt as supernatural: happening together, the astonishment, with the evidence, was rendered two fold, and almost overwhelming.

In a private memorandum, found among some other obituary papers of Mr. Jefferson, was the suggestion, that in case any memorial of him should ever be thought of, a small granite obelisk should be erected, with the following inscription :

Here lies buried

THOMAS JEFFERSON,

Author of the Declaration of Independence,

Of the Statutes of Virginia for Religious Freedom.

And Father of the University of Virginia.

Volumes of panegyric could never convey so adequate an idea of unpretending greatness, as is contained in this brief and modest epitome of all the splendid achievements of a long, and arduous, and incessantly useful life !

